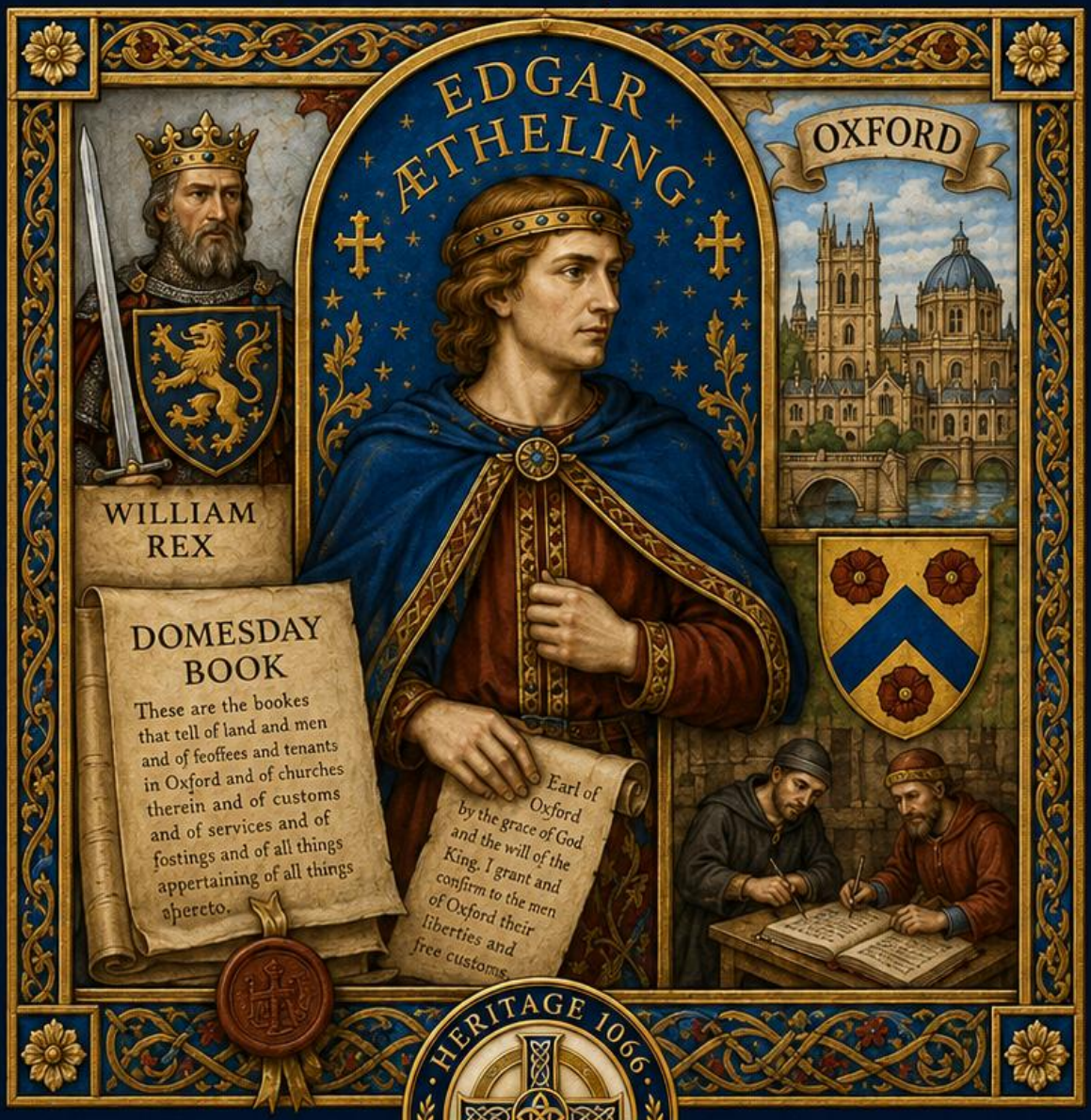
EDGAR THE ÆTHELING'S UNTOLD STORY

Edgar II as Earl of Oxford

Revised and Expanded Edition

Second Edition – September 2025


EDGAR ÆTHELING
OXFORD
WILLIAM REX
DOMESDAY BOOK
These are the bookes that tell of land and men and of feoffees and tenants in Oxford and of churches therein and of customs and of services and of fostings and of all things appertaining of all things thereto.
Earl of Oxford by the grace of God and the will of the King. I grant and confirm to the men of Oxford their liberties and free customs.

HERITAGE 1066 ENCYCLOPÆDIA

Evidence Illuminates Continuity

Researcher and author:

John Guest

Heritage 1066 Research Stream

HERITAGE 1066
ENCYCLOPÆDIA
MMXXVI
EVIDENCE ILLUMINATES CONTINUITY

EDGAR THE ÆTHELING'S UNTOLD STORY

Edgar II as Earl of Oxford

Revised and Expanded Edition

Second Edition – September 2025

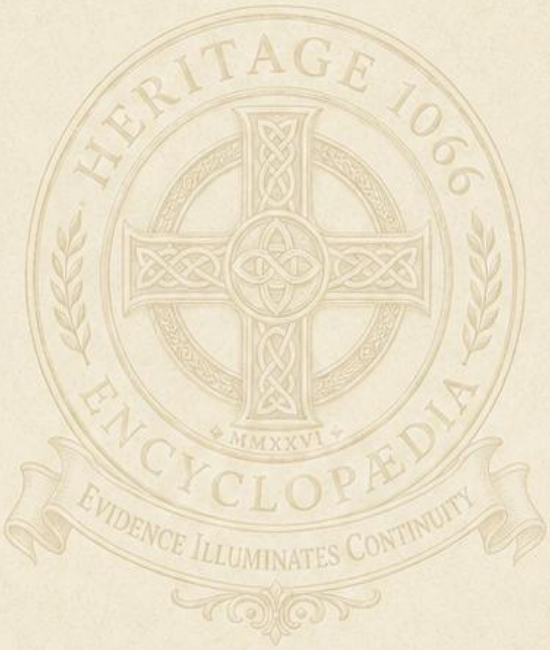
Researcher and author:

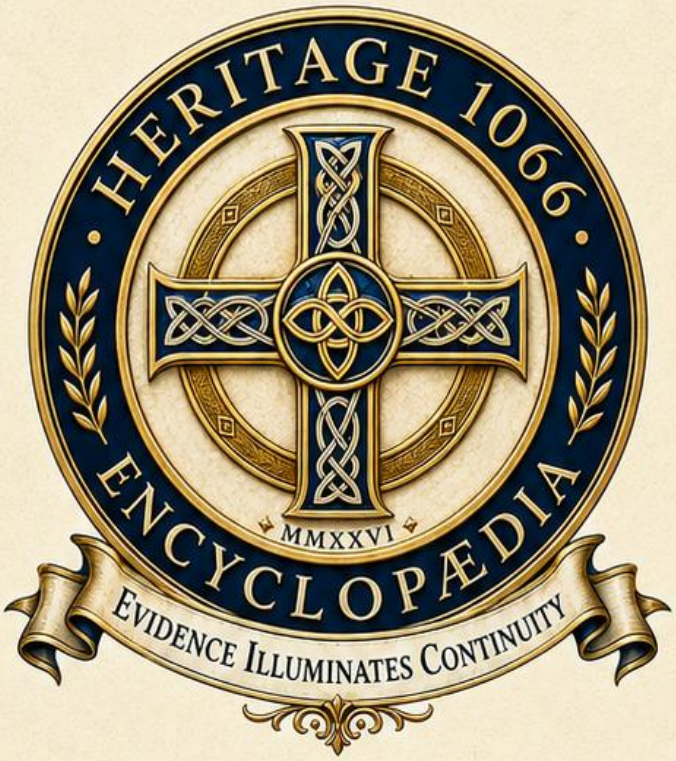
John Guest

Heritage 1066 Research Stream

HERITAGE 1066 ENCYCLOPÆDA
EVIDENCE ILLUMINATES CONTINUITY

Based on the original manuscript first issued on 28 August 2018, with later updates.


HERITAGE 1066
MMXXVI
ENCYCLOPÆDIA
EVIDENCE ILLUMINATES CONTINUITY



This revised Heritage 1066 study reconsiders Edgar the Ætheling's role in the years immediately following 1066 and argues for renewed attention to his position as Earl of Oxford under William I. Drawing on Domesday-era evidence, later scholarship, and an integrated genealogical framework, it presents a fresh historical interpretation of Edgar's administrative significance.

Heritage 1066 Research Stream

Evidence Illuminates Continuity

Second Edition – September 2025

HERITAGE 1066
MMXXVI
ENCYCLOPÆDIA
EVIDENCE ILLUMINATES CONTINUITY

Edition and Provenance

This Revised and Expanded Book derives from the author's unpublished progressive manuscript completed on 28 August 2018 and from subsequent historical, genealogical, heraldic, legal and procedural research. It forms part of the Heritage 1066 Encyclopædia Foundation Edition.

The designation Edgar II is retrospective and interpretative. This book concludes that Edgar was constituted King of the English and exercised at least one surviving act of institutional authority, but no secure evidence proves completed coronation, anointing or enthronement.

On the balance of probabilities, William I created or confirmed Edgar as an earl in late 1066 or early 1067. Oxford is the leading territorial identification, although no surviving contemporary instrument joins Edgar, comital rank and Oxford in one secure title-specific formula.

The petitioners documented genealogical lines are distinguished from the unresolved legal descent or direction of the personal dignity. No final determination of creation, survival or present title direction had issued at publication.

Private covering correspondence, confidential advice, contact details, internal routing information and protected adviser identities are excluded. Original records remain preserved within the protected Heritage 1066 project archive.

This page is intentionally left blank.

Abstract

Edgar the Ætheling's Untold Story: Edgar II as Earl of Oxford reconstructs the constitutional position, political career and dynastic significance of Edgar Ætheling (c. 1052–after 1125), the surviving male representative of Edmund Ironside's royal line in 1066. It argues that Edgar was not merely proposed as an unsuccessful claimant after Hastings. Following Harold II's death, the surviving English leadership constituted him King of the English, and authority was exercised in his name through the confirmation of Brand as abbot of Peterborough.[1] No secure evidence proves completed coronation, anointing or enthronement. Edgar II is therefore used as a retrospective and interpretative designation rather than a documented contemporary regnal style.

The study does not end Edgar's life at submission. It follows the displaced king through northern resistance, Scotland and Flanders; Philip I's offer of Montreuil and the shipwreck that defeated that opportunity; reconciliation with William I in 1074; renewed landed and aristocratic status; the authorised expedition to Apulia with a substantial knightly following; service and counsel within Robert Curthose's circle; intervention in the Scottish restoration of 1097; traditions of eastern travel and pilgrimage; Tinchebray in 1106; and his final years under Henry I. By bringing these dispersed episodes into one evidence-controlled narrative, the book presents Edgar as a continuing European dynast and political actor rather than a brief footnote between Harold and William.

Following the collapse of organised English resistance, Edgar and the remaining English leadership submitted to William of Normandy. On the balance of probabilities, the book concludes that William I subsequently created or confirmed Edgar as an earl in late 1066 or early 1067. That finding rests upon Edgar's exceptional constitutional status, the political need to accommodate a displaced king, evidence that William provided substantial lands, medieval testimony to comital rank and the independent expert assessment of Professor Tom Licence.[2]

Oxford is advanced as the leading territorial identification of Edgar's probable dignity. No surviving contemporary instrument joins Edgar, comital rank and Oxford in one secure personal dignity title-specific formula, so the proposition remains qualified. Its evidential basis lies in the convergence of regional and political context with a recoverable early-modern tradition associated with Robert Glover, Thomas Milles and William Martyn, later transmitted by David Hume and subsequent writers. The book distinguishes persistence from independence and does not treat repetition as a substitute for source analysis.[3]

The legal and genealogical inquiry separates land, office, revenue and hereditary dignity. It asks whether an early post-Conquest dignity, if created without a special limitation, could survive practical dispossession and descend to heirs general.[4] English law recognised no general Salic exclusion of women. Accordingly, if Edgar left no lawful issue and Christina died without issue, the principal recoverable collateral direction would pass through Margaret of Wessex, Queen of Scotland, and her descendants, including the royal line through David I and later non-sovereign families. That conditional title direction is kept distinct from the documented genealogical descent of relatives and petitioners, John Lindsay Robert Guest, Dennis Keith Lillee and Darren John Halifax.[5]

The original petition, the 2024 Supplemental Petition and official correspondence are treated as advocacy and procedural evidence, not as proof of their historical propositions. No final determination of creation, survival or present title direction had issued at publication, and no modern holder is asserted.[6] The book's principal contribution is therefore historical: it recovers Edgar simultaneously as the last constituted king of the Wessex line before Norman rule became secure, a probable earl incorporated into William I's settlement, the strongest recoverable antecedent associated with Oxford, and the dynastic link through whom Wessex continuity survived political defeat.

Abstract endnotes

[1]The Anglo-Saxon Chronicle, especially the Peterborough tradition, underpins the discussion of Edgar's post-Hastings elevation and the confirmation of Brand as abbot of Peterborough. The Book distinguishes constitution as king from coronation, anointing and enthronement.

[2]Professor Tom Licence, expert opinion dated 12 September 2024, concluded on the balance of probabilities that William I created Edgar an earl. His assessment treated Oxford as a separate and more qualified proposition.

[3]The principal recoverable transmission line for the Oxford attribution runs through Robert Glover, Thomas Milles, William Martyn and David Hume. The Book separately tests the dependence and evidential weight of those witnesses.

[4]The legal analysis draws upon the early-earldom discussions in Palmer (1907) and Gadd (1985), together with the balance-of-probabilities approach applied in In re Pringle of Stichill [2016] UKPC 16.

[5]The three petitioners were John Lindsay Robert Guest, Darren John Halifax and Dennis Keith Lillee, MBE, AM. Their affirmative ascending genealogical lines are treated separately from proof of present title direction.

[6]The original petition, the 2024 Supplemental Petition—Creation of Earldom of Oxford 1067, and official correspondence during 2025 are used as procedural sources. None is treated as a final adjudication of creation, survival or present entitlement.

CONTENTS

PART I — WESSEX **25**
CHAPTER 1 ..... **27**
Birth and the Royal House **27**
Edmund Ironside and the divided kingdom 27
CHAPTER 2 ..... **35**
Upbringing and the Ætheling **35**
The meaning of Ætheling 35
The Confessor's household and royal protection 36
Education, language and formation 36
A child within an unsettled succession 37
Harold and Edgar 38
The absence of a fixed age rule 38
Kingship as recognition and capacity 39
Was Edgar prepared for kingship? 40
Edgar's sisters and the family household 40
Royal memory and inherited expectation 41
The geographical environment of Edgar's youth 41
From Ætheling to king 42
Evidential discipline 43
Chapter conclusion 43
CHAPTER 3 ..... **45**
The Succession Crisis of 1066 ..... **45**
Edward the Confessor's death 45
Harold Godwinson's position 46
Harold and Edgar 47
The absence of a fixed age rule 47
William's claim 48
Harald Hardrada and Tostig 48
The Battle of Hastings 49
Who supported Edgar? 49
Election, constitution and proclamation 50
Why Edgar, and why then? 51
London and the brief English regime 51
William's advance and the collapse of resistance 52
Alternative interpretations 52
The constitutional meaning of defeat **53**
The crisis as the foundation of the earldom question 53
Evidential limits 54

Chapter conclusion 54
PART II — KINGSHIP AND SETTLEMENT 57
CHAPTER 4 ..... **59**
Constituted King of the English **59**
From candidate to constituted king 59
The testimony of the Carmen 60
William of Poitiers: the English established King Edgar 60
The Peterborough evidence 61
William's reaction to Edgar's authority 61
How long did Edgar's kingship last? 62
Did Edgar rule beyond London? 62
Why Edgar, and why then? 62
Was Edgar already king before Hastings? 63
The question of coronation 63
Edgar II as an interpretative designation 64
Objection: he was never crowned 64
Objection: election was only a plan 64
Objection: Brand's confirmation was invalid 64
Objection: Norman sources exaggerated Edgar to magnify William 65
The constitutional sequence 65
Why the kingship matters to the settlement 65
The difference between historical and legal recognition 66
Evidential finding 66
Established or strongly supported 66
Probable 66
Unresolved 66
Chapter conclusion 66
CHAPTER 5 ..... **69**
Negotiation and Submission **69**
William after Hastings 69
The route to submission 69
Submission, surrender and relinquishment 69
Ealdred and constitutional continuity 70
Berkhamsted as constitutional turning point 70
The Heritage 1066 reconstruction and the submission 70
The missing treaty and substantial lands 71
The offer to Harold 71
The Crown and Edgar's future 71
Evidential findings 71

Established or strongly supported 71
Probable 72
Possible but unproved 72
Chapter conclusion 72
CHAPTER 6 75
Compensation and Probable Comital Creation 75
The scale of the settlement 75
Amplis terris 75
The offer to Harold 76
Creation or confirmation 76
Creation before letters patent 76
Rank, land and title 76
Medieval comital terminology 76
Professor Licence's assessment 76
Alternative explanations 77
Evidential finding 77
Established or strongly supported 77
Probable 77
Unresolved 77
Chapter conclusion 77
PART III — WHICH EARLDOM? 79
CHAPTER 7 81
Oxfordshire and the Wessex Geography 81
Oxford as a royal and strategic centre 81
The wider Wessex landscape 81
Castle, office and title 81
Christina and Broadwell 81
Amersham and the reconstructed network 82
Margaret's descendants and the de Vere intersection 82
Chapter conclusion 82
CHAPTER 8 85
The Antiquarian Succession Tradition 85
Robert Glover 85
Thomas Milles 85
William Martyn 85
The medieval antecedent 85
Hume and later transmission 86
Heraldic memory 86
Chapter conclusion 86

CHAPTER 9 ..... **89**
Brooke's Omission **89**
The Brooke-Camden Feud 89
Conflict Over "Mean" Men 89
His Own Scholarship 89
Ralph Brooke and heraldic rivalry 90
Competing definitions 90
Negative evidence 90
d'Oilly, de Vere and continuity 90
Chapter conclusion 90
CHAPTER 10 ..... **93**
Oxford as the Leading Territorial Identification **93**
The evidential structure 93
Why Oxford leads 93
Source convergence 94
Alternative explanations 94
Chapter conclusion 94
PART IV — EDGAR’S LATER CAREER **97**
CHAPTER 11 ..... **99**
Normandy, Rebellion and Scotland **99**
William's return to Normandy 99
The Norman court 99
Return and departure for Scotland 99
Malcolm III and Margaret 100
Northern resistance 100
York, the Danes and William's response 100
Scotland, Abernethy and Flanders 100
Rebellion and the probable dignity 100
Chapter conclusion 101
CHAPTER 12 ..... **103**
Reconciliation and Flanders **103**
Flanders after Abernethy 103
Robert the Frisian 104
A prince without a territorial base 104
Return to Scotland in 1074 105
Philip I of France 105
Montreuil and the Norman frontier 105
Edgar’s decision to accept 106
The expedition 106

Shipwreck upon the English coast 107
The loss of followers 107
Malcolm's counsel 107
Negotiations with William 108
The second reconciliation 108
Honour without sovereignty 108
Edgar's estates 109
Court and country 109
The meaning of retirement 109
William's clemency 110
Edgar's choice 110
The end of immediate restoration 110
Flanders in retrospect 111
Reconciliation and the probable earldom 111
Historical findings 111
Secure or strongly supported 111
Probable 111
Possible but unresolved 112
Chapter conclusion 112
CHAPTER 13 117
Domesday and Great Chesterford 117
The purpose and structure of Domesday 117
Great Chesterford 118
The older identification as Earl Edgar 118
The modern identification as Ælfgar 119
The palaeographical problem 120
Great estates frequently extended beyond administrative borders 120
The chronology problem 120
Edgar's probable lands after reconciliation 121
Barkway and Hormead 122
Mundham and the Norfolk evidence 122
Domesday and personal title 122
Domesday silence and historical survival 123
Great Chesterford and Oxford 123
Dr Harmon's contribution 123
Professor Licence's assessment 124
The evidential hierarchy 124
Secure 124
Strongly supported 124

Possible 124
Unproved 124
Historical judgment 125
The broader Domesday conclusion 125
Chapter conclusion 125
CHAPTER 14 131
Apulia and Robert Curthose 131
The quiet years after reconciliation 131
The decision to leave England[60] 132
Permission rather than expulsion 132
The meaning of two hundred knights 133
Norman Apulia 133
The death of Robert Guiscard - Southern Italy after Robert Guiscard 134
Possible pilgrimage 134
Edgar beyond England 135
William I's final year - It is not established as fact 135
The death of the Conqueror 135
The divided inheritance 136
Robert Curthose 136
Edgar and Robert's shared generation 136
Return from Apulia 137
Principal counsellor 137
The rebellion of 1088 137
Edgar's support for Robert 138
Lands in Normandy 138
A new form of dispossession 138
Robert's government 139
Edgar as Anglo-Norman intermediary 139
Implications for the probable earldom 139
Historical findings 140
Secure or strongly supported 140
Probable 140
Possible but unresolved 140
Chapter conclusion 140
CHAPTER 15 149
The Scottish Restoration of 1097 149
A dynastic restoration 149
The settlement of 1091 149
The death of Malcolm and Margaret 149

Donald III and Duncan II 149
Edgar's nephew and the surviving royal branch 150
Why Edgar commanded 150
The campaign 150
Fealty and subordination 150
Consequences for Alexander and David 150
Matilda and Henry I 151
Implications for Edgar's status 151
Historical findings 151
Chapter conclusion 151
CHAPTER 16 157
The Eastern Expedition 157
The eastern traditions 157
The First Crusade and Robert Curthose 157
The English maritime tradition 157
Saint Symeon and Antioch 157
Latakia 157
Pilgrimage to Jerusalem 158
One journey or two? 158
Constantinople and Alexios I 158
The German emperor 158
Crusader or pilgrim? 158
Implications for character and status 159
Historical findings 159
Chapter conclusion 159
CHAPTER 17 163
Henry I, Tinchebray and the Final Years 163
The succession of 1100 163
Queen Matilda and dynastic incorporation 163
Robert Curthose's challenge 163
Henry's consolidation and the Norman war 163
Tinchebray 163
Different treatment of the captives 164
Henry's pardon 164
Retirement and residence 164
The White Ship and the Empress Matilda 164
Marriage and issue 164
Death date and burial 164
Implications for the probable earldom 165

Historical findings 165
Chapter conclusion 165
PART V — THE LEGAL NATURE OF THE DIGNITY 169
CHAPTER 18 ..... **171**
Creation Before Letters Patent **171**
The danger of anachronism 171
Earldom before and after the Conquest 171
The Crown as source of dignity 171
Public act and substantial lands 171
Rank proportionate to surrendered kingship 171
Charter loss and oral command 172
Conduct and title references 172
Great Chesterford 172
No requirement of compact territorial identity 172
Later forms: tenure, writ and patent 172
Later tradition and Professor Licence 172
Balance of probabilities 173
Historical findings 173
Chapter conclusion 173
CHAPTER 19 ..... **179**
Fee Simple and Heirs General **179**
The meaning of fee simple 179
Not Roman ownership 179
Land and dignity 179
Was early earldom hereditary? 179
Life grant, heirs of the body, heirs' male or heirs general 179
Heirs' general as a serious construction 180
One dignity, co-heirs and abeyance 180
Sale, surrender and devise 180
Edgar's issue, Christina and Margaret 180
Female transmission and office 180
The Crown and succession 180
The de Vere creation, sovereign line and Hallifax stream 181
Historical presumption 181
Historical findings 181
Chapter conclusion 181
CHAPTER 20 ..... **185**
The Dignity as an Incorporeal Hereditament **185**
The legal category 185

Corporeal land and incorporeal dignity 185
Office and revenue 185
Inalienability and surrender 185
Impartibility and equal co-heirs 185
Abeyance, dormancy 186
Forfeiture and pardon 186
Research and the right 186
The Roll of the Peerage and proof of ancient creation 186
Crown functions 186
Sovereign and Hallifax directions 187
Historical model 187
Historical findings 187
Chapter conclusion 187
Distinct Crown powers 191
Creation and terms 191
Recognition and the Roll 191
The evidential gateway 191
Land, office and allegiance 192
Forfeiture, judgment 192
Pardon and restoration 192
Recognition of heirs and abeyance 192
No arbitrary diversion 192
Merger 193
Burden of proof 193
Historical findings 193
Chapter conclusion 193
PART VI — FORFEITURE, SURVIVAL AND DESCENT 199
CHAPTER 22 201
Rebellion and Practical Dispossession 201
The distinction 201
Allegiance and departure from peace 201
Northern resistance and York 201
Destruction of the English base 201
Domesday reference points 201
Great Chesterford 201
Residual tenure and restoration 202
No later attainder procedure 202
Kingship and ambiguous allegiance 202
Scotland, Flanders and France 202

Reversible dispossession 202
Comparison with other rebels 202
Two principal models 203
Tinchebray and repeated breaks 203
Historical findings 203
Chapter conclusion 203
CHAPTER 23 207
Was the Dignity Permanently Forfeited? 207
The legal question 207
Forfeiture and confiscation 207
Eleventh-century law 207
Breach of allegiance 207
Permanent-forfeiture model 207
Temporary deprivation or restoration 207
Surrender 208
Absence of attainder and corruption of blood 208
Other rebels and Edgar's exception 208
Continued rank and title usage 208
Domesday and Great Chesterford 208
The de Vere creation and official forgetting 208
The decisive tests of 1074 and 1106 209
Burden and standard 209
Current assessments 209
Historical findings 209
Chapter conclusion 209
CHAPTER 24 213
Restoration, Regrant or Accommodation 213
Distinct models 213
The settlement of 1074 213
Restoration 213
Regrant 213
Accommodation without title 213
Accommodation as umbrella 213
Land and Great Chesterford 214
The continuing designation Ætheling 214
Robert Curthose and the settlement of 1091 214
Tinchebray and Henry I 214
Restoration versus new creation 214
Oxford as a separate proposition 214

The prima facie gateway and supplemental petition 214
Evidence for each model 215
Effect upon descent 215
Current historical assessment 215
Historical findings 215
Chapter conclusion 215
CHAPTER 25 219
Collateral Descent to Heirs General 219
The difference between hereditary character and present ownership 219
The absence of a surviving special limitation 219
Fee simple as an explanatory legal model 220
One dignity and one ultimate lawful holder 221
Edgar's own issue 221
The sibling structures 222
Margaret, Queen of Scots 222
The position of Christina before Margaret 223
Representation through descendants 223
Heirs general and the royal succession 223
Genealogical descent of the petitioners 224
Seniority and the danger of selective pedigrees 224
Co-heirship and abeyance 225
The Crown and the resolution of competing rights 225
The role of extinction, forfeiture and restoration 226
Non-use and the passage of time 226
The burden of establishing the line 226
The leading collateral direction 227
Chapter conclusion 227
CHAPTER 26 231
Margaret, David I and Royal Direction 231
Margaret's marriage and dynastic position 231
Margaret's children and the opening of several branches 232
Why David I matters 232
David's issue and the Scottish royal succession 233
The English line through Matilda 233
Crown descent and dignity descent 234
Merger and the position of a dignity in the sovereign 234
Convergence of royal lines 235
The Bruce and Balliol branches 235
Continental and collateral branches 236

The return of Wessex blood to England 236
David I as a bridge rather than an automatic holder 236
The Hallifax descent from David I 237
The Edward I and Eleanor of Castile convergence 239
The normalisation of royal descent 239
Ancestry and entitlement 240
The seniority problem 241
The modern sovereign as leading constitutional destination 241
Charles III and the present direction 242
The Hallifax stream and the royal direction 242
The constitutional effect of an unresolved royal destination 242
The need for a full comparative descent table 243
The direction through David I 243
Chapter conclusion 244
CHAPTER 27 249
Forgetting, Non-use and Historical Survival 249
The difference between extinction and disappearance 249
The vulnerability of early dignities 250
Political dispossession and the loss of memory 250
The death of Edgar and the absence of an obvious successor 251
Abeyance as a cause of historical silence 251
The dominance of the de Vere earldom 252
Omission from later peerage lists 252
The effect of heraldic and antiquarian memory 253
Brooke's omission and the power of later silence 253
The loss and destruction of records 254
Non-claim by royal descendants 254
The normalisation of descent and the loss of dynastic memory 255
Prescription and the passage of centuries 256
The evidential value of continuous usage 256
Later recreation and the meaning of territorial names 257
Historical survival without public exercise 257
The argument from complete silence 257
Forgetting as an historical process 258
The limits of revival 258
Relationship to the companion study 258
The present historical finding 259
Chapter conclusion 259

PART VII — PETITION, PROOF AND REMEDY 265
CHAPTER 28 ..... **267**
Original and Supplemental Petitions **267**
The transition from research to petition 267
The petitioners 268
The original petition 268
The relief sought 269
The evidential architecture of the original case 269
Advocacy and evidential restraint 270
Initial constitutional reception 270
The prima facie gateway 271
The need for a Supplemental Petition 271
The 2024 Supplemental Petition 271
Creation and territorial identification 272
Creation and survival 272
The petitions and the heirs-general model 273
The Hallifax pedigree in the petitioning context 273
Genealogical standing and constitutional standing 273
Documentary proof without the original patent 274
Expert historical opinion 274
Official correspondence as procedural evidence 275
The development during 2025 275
Historical recognition without private allocation 275
The constitutional value of staged determination 276
The petitions as a form of documentary stewardship 276
The limits of the petitions 276
The relationship between the petitions and this study 277
The petitioners' constitutional objective 277
Petition, proof and remedy 277
Chapter conclusion 278
CHAPTER 29 ..... **283**
Professor Tom Licence's Opinion **283**
The role of expert historical opinion 283
Professor Licence's scholarly position 283
The question placed before the historian 284
Edgar's exceptional constitutional status 284
William's methods of accommodation 284
Land and status 285
Medieval testimony to comital rank 285

Creation or confirmation 285
The significance of probability 286
Independence from the petitioners 286
The opinion and the Oxford designation 286
The opinion and Great Chesterford 287
The opinion and later rebellion 287
The opinion and hereditary character 288
The opinion within the prima facie case 288
Expert opinion and missing instruments 288
Competing scholarly views 289
The danger of converting opinion into authority 289
The relationship between expertise and constitutional decision 289
The opinion and historical recognition 290
The opinion and the companion argument 290
Evidential summary 291
Chapter conclusion 291
CHAPTER 30 295
Burden of Proof and *Pringle* 295
The constitutional setting of *Pringle* 295
The balance of probabilities 296
Probability and historical distance 296
The proposition to be proved 297
Who bears the burden 297
Prima facie proof and final proof 297
Pringle and the correction of inherited assumptions 298
The limits of analogy 298
The use of scientific evidence in *Pringle* 299
Time and non-claim 299
Proof of creation without a patent 300
Proof of Oxford 300
Proof of hereditary character 300
Proof of survival 301
Proof of descent 301
The place of official rolls 302
Evidential consistency 302
Cumulative proof 303
The danger of numerical counting 303
Adverse inference and missing evidence 303
The effect of the Anarchy 304

The burden applied to Edgar's kingship 304
The burden applied to comital creation 304
The burden applied to Oxford 305
The burden applied to survival and present direction 305
Constitutional restraint 305
The significance of *Pringle* for remedy 306
Chapter conclusion 306
CHAPTER 31 311
Official Correspondence and Procedural Abeyance 311
Correspondence as evidence 311
The constitutional path of an ancient dignity claim 312
The prima facie creation case 312
The invitation to supplement 313
The absence of an original instrument 313
What the correspondence did not recognise 313
Procedural abeyance 314
The changing shape of the claim 314
Historical existence and legal direction 315
The constitutional value of reservation 315
Administrative language and legal consequence 316
The petitioner's duty of accuracy 316
Institutional competence 316
The Roll of the Peerage 317
The de Vere earldom and official caution 317
Genealogical incompleteness 317
The sovereign direction 318
The effect of delay 318
The absence of final determination 318
The procedural achievement 319
The risk of permanent procedural suspension 319
Procedural fairness 319
Relationship to constitutional remedy 320
The documentary significance of the exchange 320
Chapter conclusion 320
CHAPTER 32 327
Historical Proof and Constitutional Remedy 327
The meaning of historical proof 327
The constitutional significance of historical correction 328
Recognition of historical creation 328

Recognition of the Oxford identification 328
The de Vere title and the possibility of an earlier dignity 329
Recognition of hereditary character 329
Recognition of extinction 329
Recognition of merger in the Crown 330
Recognition of hereditary abeyance 330
Recognition of a private holder 331
The petitioners and the nature of relief 331
The Crown's role 331
The limits of prerogative 332
New creation and historical recognition 332
Historical finding without peerage consequence 332
The Roll of the Peerage and historical records 333
The possibility of declaratory recognition 333
Referral for determination 334
The value of staged adjudication 334
Historical stage 334
Identity stage 334
Character stage 334
Survival stage 334
Descent stage 334
Remedy stage 334
The danger of an all-or-nothing response 335
Historical justice and constitutional caution 335
The public value of recognition 335
The relationship to *Long Live the King* 335
The present remedial position 336
The petitioners' proposed separation 336
Chapter conclusion 337
PART VIII — CONCLUSION 343
CHAPTER 33 ..... **345**
Edgar II Reconsidered **345**
Beyond the failed claimant 345
The meaning of constitution as king 346
The Brand act 346
The Peterborough tradition 346
Why Edgar was selected 347
Age and capacity 347
Submission and the end of effective rule 347

William I's treatment of Edgar 348
Probable comital incorporation 348
Creation or confirmation 348
Oxford reconsidered 349
The choice of title for this study 349
The case for "Edgar II" 349
Comparison with other brief and disputed reigns 350
The absence of coronation 350
The absence of an independent coinage 350
The absence of a royal chancery 351
Rebellion after submission 351
Scotland and dynastic continuity 351
The connection to Long Live the King 351
Royal and commoner descendants 352
Edgar and the politics of memory 352
The four kings of 1066 352
Edgar II and William I 352
The legal meaning of conquest 353
Edgar's dignity after kingship 353
The dignity and later rebellion 353
The historical hierarchy of conclusions 353
The place of uncertainty 354
Edgar as king, earl and dynast 354
The meaning of the untold story 354
A revised historical description 355
The constitutional judgment 355
Chapter conclusion 355
CHAPTER 34 361
The Oxford Proposition 361
The proposition to be judged 361
Edgar's constitutional position before the settlement 361
Probable comital creation or confirmation 361
Why Oxford remains the leading denomination 362
Brooke's omission and the de Vere succession 362
Domesday and Great Chesterford 363
Land, office and dignity 363
Rebellion, reconciliation and legal survival 363
Descent and modern procedure 364
Graded findings on Oxford 364

Chapter conclusion 365
CHAPTER 35 ..... **369**
Concluding Judgment **369**
The nature of the judgment 369
Kingship 369
The post-Conquest dignity 369
Dispossession and survival 370
Hereditary character and descent 370
Petition and official engagement 370
Answers to the principal questions 371
Edgar reconsidered 371
Final judgment 371
EVIDENTIAL MATRIX **377**
CHRONOLOGY **379**
GENEALOGICAL DIRECTION INQUIRY TABLES **381**
PETITION CHRONOLOGY **383**
TITLE-TRADITION STEMMA **385**
APPENDICES **387**
Appendix A — Evidential Vocabulary **389**
Appendix B — Source Hierarchy **391**
Appendix C — Confidentiality and Archive Control **393**
Appendix D — Questions Remaining Open **395**
BIBLIOGRAPHY **397**
ACKNOWLEDGEMENTS **399**
AUTHOR NOTE **401**
PUBLICATION AND PROVENANCE NOTICE **403**

PART I — WESSEX

This page is intentionally left blank.

CHAPTER 1

Birth and the Royal House

Edgar Ætheling entered history as the child of a displaced royal family. Before he became the constitutional focus of English resistance in 1066, before he submitted to William of Normandy, and before later writers associated him with the Earldom of Oxford, his identity had already been formed by three connected circumstances: royal blood, dynastic exile and an attempted restoration. These circumstances explain why Edgar could not be treated as an ordinary noble youth after Hastings. They also explain why his later political accommodation carried consequences greater than the settlement of a defeated landholder.

The formal lifespan adopted in this study is c. 1052–after 1125. Edgar's exact year and place of birth are not securely recorded. Modern scholarship generally places his birth around 1052, during his father's continental exile, and commonly associates the family at that time with Hungary. Nicholas Hooper began his modern reconstruction by emphasising that Edgar was not born in England and that the evidence for his life is dispersed among sources that were rarely well informed about his complete career.[1] An earlier dating around 1051 in Hungary remains possible, but c. 1052–after 1125 reflects the uncertainty inherent in the evidence.

The uncertainty surrounding the date does not diminish the certainty of Edgar's paternal identity. He was the son of Edward the Exile, grandson of Edmund Ironside and a descendant in the direct male line from the kings of Wessex. When Edward the Confessor died without acknowledged issue in January 1066, Edgar represented the surviving male continuation of the line through Edmund Ironside. His later importance did not arise from a remote or manufactured pedigree. It arose from his position within the immediate royal family whose rule had been displaced first by Danish conquest and then challenged again by Norman invasion.

Edmund Ironside and the divided kingdom

Edgar's grandfather, Edmund Ironside, became king during the violent final phase of Æthelred II's reign. The Danish campaigns led by Cnut had already destabilised the kingdom when Æthelred died in April 1016. Edmund's resistance was vigorous enough to earn the later epithet Ironside, but it could not prevent the partition of authority after the Battle of Assandun. Edmund and Cnut reached an accommodation by which Edmund retained part of the kingdom while Cnut controlled the remainder. Edmund died on 30 November 1016, leaving the Danish king able to assume rule over the whole of England.

The dynastic consequences were immediate. Edmund's infant sons, Edward and Edmund, embodied a surviving alternative to Cnut's kingship. Later narrative tradition relates that the boys were sent from England and passed through Scandinavian or eastern European courts. Details of the journey vary and were recorded long after the event. The fundamental point is more secure: the sons of Edmund Ironside were removed from England, and Edward spent most of his life beyond the kingdom whose royal line he represented. Scholarly study of the brothers' obits and continental history confirms that Edmund died abroad, while Edward survived to become the father of Edgar, Margaret and Christina.[2]

The exile of the princes was therefore not an incidental episode in Edgar's ancestry. It interrupted the direct male succession of the Wessex house. Cnut's government, followed by those of his sons Harold Harefoot and Harthacnut, established a new ruling order. Edward the Confessor eventually restored a member of the older house to the throne in 1042, but he belonged to a different branch: he was a son of Æthelred II and Emma of Normandy, while Edward the Exile descended through Æthelred's son Edmund Ironside.

These branches were close enough that the survival of Edward the Exile mattered greatly once the Confessor's marriage remained childless. A returning son of Edmund Ironside offered a potential solution to the succession problem. He combined direct royal descent with adulthood and, unlike the Confessor's Norman relatives, belonged wholly to the English royal house through his paternal line.

Edward the Exile

Edward the Exile's biography survives only in fragments. His movements have been reconstructed from English chronicles, continental associations and later genealogical traditions. It is generally accepted that he lived in Hungary for a substantial part of his exile and married a woman named Agatha. Their three known children were Edgar, Margaret and Christina.

The political value of Edward's survival became increasingly apparent in the 1050s. Edward the Confessor had no child, and the future of the throne remained unsettled. In 1054, Ealdred, Bishop of Worcester and later Archbishop of York, travelled on a royal mission to the Continent. The precise object and route of that mission have been debated, but it formed part of the process by which contact with the exiled branch was restored. Edward the Exile was eventually summoned to England.[3]

His return in 1057 was one of the most consequential unrealised moments in late Anglo-Saxon history. A mature grandson of Æthelred II and son of Edmund Ironside was restored to the kingdom. Although no surviving act formally declares him heir, the summons is difficult to explain without reference to the succession. The Confessor had little reason to recover a long-absent kinsman, together with his wife and children, unless Edward's royal identity had become politically useful.

Yet the expected restoration failed almost immediately. Hooper records that Edward the Exile died on 19 April 1057, soon after returning and before he could meet the Confessor. Edward had returned with Agatha and the three children but died before his position could be consolidated.

His death did more than remove a candidate. It transferred the dynastic burden to a boy. Edgar inherited his father's place in the male line but not his maturity, household authority or continental experience. Had Edward lived, the succession crisis of 1066 might have developed differently. That counterfactual cannot be resolved, but it illuminates the structural weakness Edgar later faced: the person who might have established the returning family securely within English politics had died before doing so.

The surviving family—Agatha, Margaret, Christina and Edgar—was now dependent upon the Confessor's protection. Frank Barlow considered it probable that the king became guardian of Edward's widow and children.[4] Tom Licence likewise places the surviving family within the king's protection, leaving Edgar as the remaining male representative of the Cerdic line apart from the Confessor himself.[5]

"Guardian" should not be expanded into an undocumented legal instrument. No surviving wardship deed defines the relationship. The inference is nevertheless strong. A royal widow and three royal children had returned at the king's summons; the father died unexpectedly; and the children remained in England. Responsibility for their position, maintenance and political supervision would naturally fall within the royal household.

Agatha: certainty of role, uncertainty of ancestry

Agatha's place in Edgar's story is simultaneously secure and obscure. She was Edward the Exile's wife and the mother of Edgar, Margaret and Christina. Beyond that immediate identity, her ancestry has generated a long and unresolved genealogical controversy.

Medieval sources associated her with imperial, German, Hungarian or Rus' connections, but their descriptions are not sufficiently consistent to establish one universally accepted pedigree. Modern genealogists and medievalists have proposed several reconstructions, often attempting to reconcile references to an emperor's kinswoman with the political geography of Edward's exile. The existence of competing scholarly theories should not be disguised by choosing one attractive ancestry and presenting it as settled fact. Even specialist studies frame the question as an unresolved problem.[6]

For the argument of this book, Agatha's precise parentage is not essential. Edgar's Wessex status came through his father. Agatha's importance lies elsewhere. She formed part of the family's continental experience; she accompanied Edward and the children to England; she survived her husband; and she remained associated with her children during their later movements.

The uncertainty of Agatha's origin is nevertheless historically meaningful. It illustrates the cosmopolitan environment in which the exiled Wessex branch survived. Edward the Exile did not preserve his line in isolation. He lived among continental courts and married into a family regarded by medieval writers as distinguished. Edgar and his sisters therefore returned to England as members of a royal family whose connections extended beyond the island. Those connections should not be inflated into a precise diplomatic alliance without evidence. It cannot be assumed that a particular emperor, Hungarian king or Rus' prince stood ready to intervene for Edgar in 1066. The continental marriage does, however, help explain why later attempts to leave England or seek refuge abroad were plausible. The family had inherited a memory of exile as a means of dynastic survival.

Agatha's subsequent life is imperfectly documented. She accompanied or remained connected with her children when they moved towards Scotland after the Norman Conquest. Beyond those appearances, the date and circumstances of her death are uncertain. The revised study therefore resists the temptation to use her as a vehicle for conjectural court politics. Her established contribution is already substantial: she maintained the exiled royal household, returned to England with it, and became the mother of the three surviving children through whom that branch of Wessex continued.

Margaret and Christina

Edgar was not the sole bearer of his family's historical significance. His sisters Margaret and Christina became essential to the preservation and later direction of the Wessex line. Margaret would marry Malcolm III of Scotland and become one of the most consequential queens of the eleventh century. Through her children, the royal descent of Wessex became embedded in the Scottish monarchy and later returned to the English throne through her daughter Edith—renamed Matilda—who married Henry I.

Margaret's importance to the later title-direction argument is therefore not a remote genealogical convenience. She was a member of Edgar's immediate family whose issue created a documented collateral continuation of their royal house.

Christina followed a different path. She is associated securely with religious life and Romsey Abbey. Domesday material records her as a woman of high rank and a tenant in chief, including at Broadwell in Oxfordshire, and identifies her as Edgar's sister and Margaret's sister.[7]

Her Oxfordshire and Warwickshire holdings have prompted the proposal that some may have been connected with Edgar. That inference is not proved merely by sibling relationship or co-location. The record does establish that Christina remained a person of recognised rank and property after the Conquest.

The birth order of the siblings is not entirely consistent across modern summaries. The older manuscript described Margaret as Edgar's older sister and Christina as the middle sibling, while some modern accounts arrange them differently. Nothing central to the present chapter depends upon imposing an uncertain sequence. What matters is that Edward and Agatha returned with three children who together represented the surviving family of Edmund Ironside's line.

Later title-direction analysis must examine the siblings separately. No secure wife or issue of Edgar has yet been established. Christina's line remains subject to an authoritative audit intended to determine whether she died without issue. Margaret unquestionably had issue. If Edgar's probable dignity was hereditary in fee simple, survived forfeiture questions and passed collaterally, these sibling relationships become legally relevant. That later analysis must not be projected backwards into their childhood, but the family structure needs to be established at the outset because it ultimately determines the available directions of descent.

Edgar's childhood and probable place of birth

The evidence for Edgar's childhood before 1057 is sparse. Hungary remains the leading location for his birth and early upbringing, but it is safer to state that he was born during his father's continental exile, probably in Hungary, than to assign a particular royal residence or household.

Little is known of Edgar's life before his arrival at the Confessor's court. A fuller account cannot be made more authoritative by filling silence with imagined detail. The language in which Edgar was first educated, the identity of his tutors, the exact composition of his father's household and the personal relationships he formed in childhood remain unknown.

Reasonable inferences can nevertheless be made. As the son of a royal exile living among continental elites, Edgar was unlikely to have been raised as an obscure peasant child. His family retained sufficient status for Edward to marry Agatha and for the English king later to recover them. Edgar probably encountered a multilingual and ecclesiastically connected environment. These are contextual probabilities, not documented particulars.

His early continental formation may also have affected his later adaptability. Edgar moved repeatedly between England, Scotland, Normandy and other continental regions. He served or associated with Norman princes, participated in Scottish affairs and remained politically useful long after 1066. It would be excessive to derive this later mobility directly from infancy, but exile was the inherited condition of his immediate family. The ability to survive outside England was part of its experience before Edgar could remember it.

Return to England

The family's arrival in 1057 brought Edgar into a kingdom he knew principally through inheritance and family memory. England was not simply a destination. It was the land from which his father had been removed and in which his grandfather had reigned.

The return also changed Edgar's identity. On the Continent he was the son of an exiled prince. In England he became a visible member of the royal family within the political community whose future succession remained unsettled. His father's death intensified that visibility. After 1057 Edgar was the last surviving male of the royal dynasty apart from Edward the Confessor.

That formulation captures the essential dynastic position, although an undisputed identity within the royal house did not create an undisputed right to succeed. Royal blood gave Edgar eligibility and prominence; it did not compel the political community to choose him regardless of age and circumstance.

The New Minster Liber Vitae records Edgar with the Latin term clito, corresponding to ætheling.[8] The significance of the designation lies in recognition. Edgar was not merely called the king's young kinsman. He was classified within the category of royal prince, a status whose constitutional history is traced by David Dumville.[9] The designation confirms that Edgar's dynastic standing was acknowledged before the crisis of 1066. It does not establish that he was formally adopted by the Confessor.

Was Edgar the intended heir?

The question whether Edgar became Edward the Confessor's intended successor after 1057 cannot be answered categorically. His father's summons strongly suggests that the Ironside branch was relevant to succession planning. Once Edward the Exile died, Edgar inherited the dynastic claim but was still a child.

No surviving act names Edgar heir in the manner of a later testamentary settlement. Nor did late Anglo-Saxon kingship operate solely through a fixed rule of primogeniture. The political community, often described through the witan, participated in the recognition and establishment of a king. Descent mattered greatly, but capacity, support, designation and immediate security also mattered.

Harold Godwinson's rise must be understood within this framework. By the mid-1060s he was the kingdom's dominant secular magnate, an experienced military commander and the figure most capable of exercising government upon the Confessor's death. Edgar possessed the stronger direct royal blood but lacked Harold's age, resources and following.

This contrast does not require the conclusion that Edgar was dismissed as irrelevant before 1066. On the contrary, his later constitution as king after Hastings shows that his right remained politically available. The better interpretation is that Edgar was a dynastic reserve whose youth prevented his claim from overriding the immediate case for Harold in January 1066. When Harold and his brothers died at Hastings, the political calculation changed abruptly.

The royal household in which Edgar was raised would have been aware of these tensions. Queen Edith, widow of the Confessor after January 1066, belonged to the Godwin family but also stood within the court that had received the exiled children. Later tradition sometimes turns these relationships into confident statements of formal fostering or adoption. The evidence permits a more measured conclusion: Edgar and his sisters were maintained within or around the royal environment, and their dynastic identity was preserved rather than erased.

The Wessex inheritance

The phrase "House of Wessex" can create the impression of an institution with a fixed membership list and constitutional rules comparable to a later royal house. In practice, the family's identity rested upon descent, memory, saints, royal burial places, landed associations and political recognition.

Edgar inherited this accumulated identity. His paternal line passed through Edward the Exile and Edmund Ironside to Æthelred II and the earlier West Saxon kings. That genealogy connected him to a monarchy which, over generations, had expanded from Wessex to rule England.

The first edition devoted considerable attention to places associated with Edgar's ancestors, including Wantage, Oxford, Islip, Headington and other royal estates.[10] That research remains relevant, particularly when the book later asks why Oxford became attached to Edgar's probable earldom. It must not, however, be allowed to collapse genealogy, landholding and title into one automatic chain.

A royal ancestor's association with Oxfordshire does not prove that Edgar received an Earldom of Oxford. Nor does the presence of coins of earlier Wessex kings at Oxford Castle establish a hereditary honour transmitted intact to Edgar. Such evidence demonstrates the long royal significance of the area and supports geographical plausibility. It does not replace evidence of comital creation.

The distinction strengthens rather than weakens the argument. Edgar's Wessex identity can be established beyond reasonable historical dispute without requiring every geographical theory associated with him to be accepted. The Oxford proposition can then be assessed independently through the political settlement, the availability of an Oxfordshire comital office and the antiquarian title tradition.

A royal identity without present power

By the eve of 1066, Edgar possessed royal identity but little independent power. His father's death had deprived him of an adult dynastic protector. The Confessor's court had preserved him, but it had not built an obvious regency, army or territorial command around him. This imbalance between right and power shaped the rest of his life. Edgar could be chosen when hereditary legitimacy was urgently required; he could become a focus for resistance; he could be accommodated by William; he could be feared as a symbol. Yet he rarely controlled the military and institutional resources necessary to impose his own settlement.

Later depictions of Edgar as weak or insignificant often mistake the absence of sustained victory for the absence of importance. A politically insignificant person would not have required repeated negotiation, surveillance, reconciliation and incorporation. Edgar survived because his value could be used by many parties: English opponents of Norman rule, Malcolm III, Robert Curthose and eventually the Anglo-Norman royal family.

The foundations of that value lay in Chapter 1's subject. Edgar was the son of the recovered exile, the grandson of Edmund Ironside, the surviving male dynast of Wessex and the brother of women through whom the line would continue. His family history made him constitutionally available in 1066 and genealogically consequential long afterwards.

From restoration to renewed displacement

The return of 1057 was intended, or at least capable of being understood, as a restoration. Within nine years it had become the prelude to a second dynastic displacement.

The first displacement followed the Danish conquest and sent Edmund Ironside's sons abroad. The second followed the Norman Conquest and placed Edgar in a new relationship with a victorious foreign dynasty. Unlike his father, Edgar was not removed permanently as an infant. He remained close enough to power to be constituted king, subordinated, compensated, taken to Normandy, involved in rebellion and repeatedly reconciled.

This difference helps explain the complexity of his later reputation. Edward the Exile could be remembered primarily as a lost hope. Edgar lived long enough to become many things: prince, constituted king, probable earl, rebel, exile, diplomat, military leader, adviser and ageing survivor.

His sisters likewise transformed the meaning of the family's displacement. Margaret's marriage carried the Wessex line into Scotland. Christina's religious and landed status preserved another form of royal continuity. Through Margaret's daughter Matilda, the descendants of Edmund Ironside's house would be reunited genealogically with the Norman monarchy. The Conquest therefore did not end Wessex descent. It displaced and redirected it.

Evidential limits

A responsible account of Edgar's origins must conclude by identifying what the evidence does not establish.

It does not provide a secure exact birth date. It does not prove the precise location of his birth. It does not resolve Agatha's ancestry. It does not describe Edgar's childhood household in detail. It does not prove that Edward the Confessor formally adopted him. It does not preserve a written declaration naming him heir. It does not demonstrate that every estate later associated with Christina was held in trust for Edgar.

These limitations are not defects to be concealed. They define the point from which the stronger conclusions begin.

What can be established is substantial. Edgar was born during the continental exile of the direct Ironside branch. His father was recalled to England in circumstances closely connected with the unresolved succession. Edward the Exile died soon after returning in 1057, leaving Edgar as the surviving male dynast of that branch. Edgar was recognised as an Ætheling and remained within the English royal environment. His sisters Margaret and Christina shared the same royal identity and later became central to the continuation and collateral direction of the family.

This foundation is sufficient to explain Edgar's emergence in October 1066. When Harold II and his brothers were dead and the kingdom required a king around whom resistance could be organised, the surviving leadership turned not to an unknown youth but to the recognised representative of the royal house.

Chapter conclusion

Edgar's birth did not make him king automatically. It made him constitutionally possible. His father's recall demonstrated that the line of Edmund Ironside still mattered to the Confessor's kingdom. His father's sudden death prevented that restoration from maturing. Edgar inherited the claim while lacking the adult power that might have secured it. His upbringing preserved his designation as an Ætheling, but no stable regency or territorial command was constructed around him.

The result was a royal prince whose dynastic identity exceeded his immediate resources. That imbalance explains the succession decisions of January and October 1066. It also explains William's later response. Edgar could be defeated, but he could not be treated as historically inconsequential. The political settlement after Hastings had to account for the fact that he belonged to the royal house, had become the surviving focus of English legitimacy and possessed a family line capable of continuing through both male and female directions.

The later argument concerning kingship, comital creation and Oxford therefore begins here. Edgar's status was not bestowed retrospectively by heralds or petitioners. It originated in the direct Wessex inheritance he carried back to England in 1057.

Chapter 1 endnotes

[1]Nicholas Hooper, 'Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader', Anglo-Saxon England, 14 (1985), pp. 197–214, especially the discussion of Edgar's continental birth and the fragmented, unevenly informed narrative record.

[2]Simon Keynes, 'The Crowland Psalter and the Sons of King Edmund Ironside', Bodleian Library Record, 11, no. 6 (1985), pp. 359–370, for the obits and continental chronology of Edmund and Edward.

[3]M. K. Lawson, 'Edward [called Edward the Exile], Ætheling (d. 1057)', Oxford Dictionary of National Biography (Oxford University Press, 2004; online edition), for Edward's exile, marriage, recall and return to England.

[4]Frank Barlow, Edward the Confessor, 2nd edn (New Haven and London: Yale University Press, 1997), for the recall of Edward the Exile and the probable protection of his widow and children within the royal household.

[5]Tom Licence, Edward the Confessor: Last of the Royal Blood (New Haven: Yale University Press, 2020), p. 202 and n. 26, for Edgar's position after his father's death and the probable guardianship of the surviving Cerdic-line family.

[6]Alex Woolf, 'Who Was Agatha? The Ancestry of the Wife of Edward the Exile', Foundations, 3 (2011); and MichaelAnne Guido and John P. Ravilious, 'From Theophanu to St Margaret of Scotland: A Study of Agatha's Ancestry', Foundations, 4 (2012), pp. 81–121. The competing reconstructions confirm that Agatha's parentage remains unresolved.

[7]Domesday Book, Oxfordshire, Broadwell, recording Christina as tenant-in-chief; compare the Victoria County History treatment of Christina's Oxfordshire and Warwickshire holdings. The entry establishes rank and property, but not that the lands were held for Edgar.

[8]New Minster Liber Vitae, British Library, Stowe MS 944, fol. 29r, where Edgar appears as 'Eadgar Clito'; see also Simon Keynes (ed.), The Liber Vitae of the New Minster and Hyde Abbey, Winchester (Copenhagen: Rosenkilde and Bagger, 1996).

[9]D. N. Dumville, 'The Ætheling: A Study in Anglo-Saxon Constitutional History', Anglo-Saxon England, 8 (1979), pp. 1–33, for the historical development and constitutional use of the designation.

[10]John L. R. Guest, Edgar the Ætheling's Untold Story: Edgar II as Earl of Oxford, first edn (2018), sections on Edmund Ironside, Edward the Exile and the family's return in 1057. The Book retains that research foundation while moderating categorical geographical and genealogical deductions.

CHAPTER 2
Upbringing and the Ætheling

Edgar's return to England in 1057 placed him within a royal world whose political expectations were larger than his years. He arrived as the son of Edward the Exile, grandson of Edmund Ironside and surviving male representative of one branch of the royal house. Within a short time, however, his father was dead, the intended dynastic restoration had been disrupted, and Edgar's future depended upon the court of Edward the Confessor.

The surviving sources say little about Edgar's daily life between 1057 and 1066. They do not preserve the name of a tutor, identify a separate household established for him or describe a formal programme designed to prepare him for kingship. It would be easy to fill that silence with assumptions drawn from the education of later medieval princes. Such reconstruction would create narrative detail without evidence.

The absence of personal detail does not mean that Edgar's position is unknowable. His recognised designation as an Ætheling, his place within the Confessor's extended family, the continued presence of his mother and sisters, and his later emergence as the chosen royal figure after Hastings establish the essential character of his upbringing. Edgar was raised not as an ordinary aristocratic dependent but as a royal child whose dynastic status remained available to the English political community.

His childhood was therefore shaped by a paradox. He belonged to the family from which an English king might be selected, but no surviving evidence shows that the institutions necessary to place him securely upon the throne were constructed around him. His blood gave him constitutional possibility. His youth, his father's death and the strength of competing political interests denied him the independent power needed to convert that possibility into an assured succession.

The meaning of Ætheling

The word Ætheling is indispensable to any account of Edgar's position. It was not simply a surname attached to him by later historians, nor was it an affectionate description meaning only "young prince". It belonged to the political language of Anglo-Saxon kingship and identified a male member of the royal dynasty who possessed the lineage from which a king could be selected.[1]

The term developed across several centuries and was not applied with perfect uniformity. In its strongest political use it distinguished men of royal birth whose claims were constitutionally intelligible. It did not create an automatic right of succession, and it did not mean that every man bearing the designation would become king. It signaled membership of the restricted royal kindred within which the possibility of kingship existed.

This distinction matters because later writing has often imposed one of two misleading interpretations upon Edgar. In one, Ætheling is treated as though it meant a legally designated crown prince under a settled rule of primogeniture. In the other, it is reduced to a ceremonial relic without practical significance. Neither interpretation fits the political reality of 1066. Edgar's designation did not entitle him automatically to succeed Edward the Confessor. English kingship required more than genealogical proximity. Recognition by the leading men of the kingdom, the ability to govern, access to military force and the capacity to maintain peace all entered the political judgement. Yet when Harold II and his brothers were dead, the surviving leadership turned to Edgar precisely because his royal birth made him an intelligible king. The title was therefore neither a guarantee nor an empty ornament. It represented dynastic eligibility.

The New Minster Liber Vitae is especially relevant because it records Edgar using the Latin designation clito. That term corresponds to the royal-princely sense represented by Ætheling. Its use places Edgar within a recognised category of royal identity before the crisis following Hastings. It does not prove that Edward the Confessor had formally adopted him, named him heir or created a legally enforceable succession settlement. It does show that Edgar was publicly classified as a prince of the royal house.[2]

The distinction between recognition and designation must be maintained. Recognition as an Ætheling established who Edgar was. It did not establish what the political community would decide to do with him.

The Confessor's household and royal protection

After Edward the Exile's death, Edgar, Agatha, Margaret and Christina required protection and maintenance. The family had been recalled by the king and had crossed Europe to return to England. The sudden death of its adult male head did not erase the political purpose of that return.

Frank Barlow and Tom Licence have treated it as probable that Edward the Confessor assumed responsibility for the widow and children. The inference is reasonable, although the surviving evidence does not describe a formal wardship. The children belonged to the king's immediate dynastic environment, and their father had returned at his invitation. They could not simply be allowed to disappear into an unrelated noble household without political consequences.[3][4]
The precise location in which Edgar was raised remains uncertain. The phrase "at the Confessor's court" should not be understood as though the English monarchy occupied one permanent palace. The royal household was itinerant, moving among Westminster, Winchester, Gloucester and other estates and centres of government. Edgar may therefore have spent time in several royal or ecclesiastical environments.

The Confessor's protection would have carried both advantage and control. Edgar received security, status and access to the royal world. At the same time, the king and the leading political families could observe and contain the dynastic possibilities represented by him. Royal guardianship was not politically neutral.

No evidence suggests that Edgar was imprisoned or deliberately humiliated. His later standing indicates that his royal identity was preserved. Yet neither is there evidence that the Confessor established him with the lands, officers and military following that would have made him an independent political force. Edgar remained prominent in identity but dependent in resources. That pattern continued after 1066. Throughout his life, Edgar repeatedly occupied a position of acknowledged status without a secure territorial or military base of his own. He could become useful to stronger rulers and factions because of his birth, but he often depended upon those same powers for protection, income and opportunity. The roots of that later condition lay in the years after 1057.

Education, language and formation

The evidence does not identify Edgar's teachers or preserve a curriculum. It is nevertheless possible to consider the forms of education likely to have been available to a royal child without claiming details that cannot be proved.

A boy raised in or near the royal household would have encountered ecclesiastical literacy, oral traditions of kingship, court ceremonial, hunting, riding, weapons training and the practical etiquette of aristocratic society.

Latin was the language of the Church and written administration, while English remained fundamental to political communication within the kingdom. Edgar's early continental life may also have exposed him to other languages or cultural influences.

These are reasonable contextual expectations rather than a biography of his classroom. The later Edgar was able to move among English, Scottish and Norman political circles. He negotiated, served military leaders, travelled widely and retained sufficient stature to participate in dynastic settlements. Such adaptability suggests that his upbringing prepared him for aristocratic and royal society. It does not establish the exact form of that preparation.[5]

His continental birth may have distinguished him from boys raised entirely within England. The family's experience of Hungary and exile formed part of its collective memory. Edgar's father had survived because foreign courts provided refuge. That background may have made movement across political borders seem less extraordinary to Edgar than it would have to a land-bound English noble.

After the Conquest, Edgar repeatedly sought survival through travel and association: Scotland offered refuge; Normandy became both a place of negotiation and service; Robert Curthose provided a princely connection; and Edgar appears in wider European military contexts. These later patterns cannot be attributed mechanically to his childhood, but they are compatible with the cosmopolitan origins of the exiled branch.

The family's religious environment also mattered. Margaret would become celebrated for her piety and later canonised. Christina entered religious life and became associated with Romsey Abbey. Their paths should not be read backwards as proof of one particular childhood household, but they demonstrate that ecclesiastical culture formed a significant element within the family's identity.

Edgar's own later reputation is not dominated by monastic patronage in the manner of Margaret's. His recorded life is more political and military. Yet the episode involving Brand of Peterborough shows that he understood or was expected to exercise the king's role in relation to ecclesiastical appointments. That act did not arise from a vacuum. It belonged to the royal culture in which he had been raised.

A child within an unsettled succession

Edward the Confessor's childlessness made every royal relationship politically significant. Edgar's presence at court therefore carried implications even when no formal succession announcement was made.

The recall of Edward the Exile has commonly been interpreted as connected with the succession. The maturity of Edward the Exile made him a more immediate prospect than his son. His death in 1057 transferred the blood claim to Edgar but changed the practical calculation. A young boy required guardians, political sponsors and, potentially, a regency. The kingdom had experienced disputed succession and foreign conquest within living memory.

The reigns following Æthelred II had demonstrated that royal blood alone could not preserve authority where military and political structures failed. The leading men of England would have evaluated Edgar not only as the grandson of Edmund Ironside but as a possible source of instability if elevated without adequate support.

The surviving evidence does not show that a formal regency plan was prepared for him. Nor is there evidence that the Confessor publicly designated a council to govern in Edgar's name. This omission became decisive in January 1066.

A child king was not constitutionally impossible. Medieval Europe contains numerous examples of under-age monarchs. The real issue was whether a sufficiently strong coalition existed to protect the child and exercise government until maturity. Edgar lacked that coalition. The Godwin family, by contrast, possessed wealth, offices, territorial influence and military power. Harold Godwinson had become the dominant secular figure in England. He had experience of government and warfare and could respond immediately to invasion.

The political community's choice in January 1066 therefore did not require it to deny Edgar's royal blood. It required it to decide that Harold was the man capable of preserving the kingdom. Edgar's non-selection after the Confessor's death does not prove that his claim was imaginary or constitutionally invalid. It shows that kingship was determined through a combination of lineage and necessity. His selection after Hastings confirms that the dynastic claim had not disappeared.

Harold and Edgar

The relationship between Harold II and Edgar is difficult to reconstruct because the surviving sources focus upon the larger succession contest involving William of Normandy and the events leading to Hastings. There is no reliable evidence that Harold persecuted Edgar or regarded him as a personal enemy.

Edgar appears to have remained in England and within the recognised royal community during Harold's reign. Had Harold believed him to be an immediate and organised threat, one might expect evidence of confinement, exile or dispossession. None is securely recorded.

Harold's position was probably strengthened, rather than weakened, by treating Edgar honourably. Acknowledging the boy's royal status while assuming the practical burden of kingship allowed Harold to present himself as the defender of England rather than the destroyer of the Wessex line.

The later Hume tradition states that Harold conferred the Earldom of Oxford upon Edgar and that William subsequently confirmed it. No contemporary source has yet been identified that proves this grant. The possibility belongs to the later Oxford analysis and should not be introduced into Edgar's upbringing as though settled.[6]

A Haroldian grant would fit one possible political logic: honour the royal boy, recognise his status and bind him to the new regime without surrendering the throne. But historical plausibility is not proof. Until the early-modern source pathway is traced more securely, the proposition remains secondary.

What can be said is that Edgar survived Harold's reign with his royal identity intact. When Harold died, the surviving English leadership did not have to rediscover an unknown claimant. Edgar was present, known and constitutionally available.

The absence of a fixed age rule

One of the recurring explanations for Edgar's failure to become king in January 1066 is that he was too young. As a practical statement, this is persuasive. As a legal statement, it requires qualification.

No secure rule has been demonstrated by which an English king had to reach a fixed age before he could be recognised. Later legal notions of majority should not be projected mechanically into eleventh-century kingship. A boy of royal blood could become king where political circumstances permitted and a regency could be maintained.[7] The difficulty was not simply Edgar's age in isolation. It was the interaction between age and institutional weakness.

Edgar had no living father, no adult brother, no established territorial power and no identified military household. His mother was a royal widow of foreign or continental background whose political network in England cannot be shown to have rivalled that of the Godwins. His sisters could contribute dynastic importance but could not command the military crisis of 1066.

A successful child kingship would therefore have required the leading earls and bishops to subordinate their rivalries and govern collectively. The political history of the 1050s and 1060s provides little reason to assume such unity.

Harold supplied what Edgar lacked: adult command.

After Hastings, however, the choice was no longer between an experienced Harold and a young Edgar. Harold, Gyrth and Leofwine were dead. The English leadership faced William's invading army and required a figure around whom lawful resistance could be organised.

Edgar's age remained a weakness, but his blood became the strongest available source of legitimacy.

The movement from non-selection in January to constitution in October is therefore coherent. It reflects a change in circumstances, not a change in Edgar's genealogy.

Kingship as recognition and capacity

The Anglo-Saxon succession was neither purely hereditary nor freely elective in the modern democratic sense. The king ordinarily came from the royal family, but the political community participated in determining which eligible member should rule. The balance among blood, designation, ability and support varied from one succession to another.

The witan is sometimes represented as though it were a fixed parliament with codified procedures. That image is misleading. The term refers broadly to the king's councillors and leading men, whose composition depended upon circumstance. Their recognition was politically essential because kingship required cooperation from bishops, earls and other magnates.

Edgar's upbringing took place within this constitutional culture. He could not rely upon an automatic hereditary rule. He needed recognition.

At the same time, the leading men could not ignore royal ancestry without risking legitimacy. Harold's accession was strengthened by his capacity and by claims concerning the Confessor's final wishes. William's invasion was justified through his own narrative of designation and oath. Edgar's blood remained the most straightforward hereditary connection to the older house.

This competition among forms of legitimacy explains why Edgar remained important even when he was not chosen. He embodied one of the strongest constitutional languages available: direct royal descent.

The later Norman settlement could not erase that language immediately. William had conquered the kingdom militarily, but he also sought coronation, lawful recognition and continuity with the Confessor's government. Edgar's submission helped remove a competing source of legitimacy.

His status as an Ætheling was therefore directly relevant to William's political needs.

Was Edgar prepared for kingship?

The answer depends upon what is meant by preparation.

There is no evidence that Edgar commanded armies, administered a great earldom or presided over royal government before 1066. In those practical senses, he was not prepared to rule independently.

He was, however, prepared in identity. He knew himself and was known by others as a prince of the royal house. He had been raised within the orbit of kingship and recognised by the political and ecclesiastical community. When called upon after Hastings, he could be constituted king without inventing a new claim.

This distinction between practical preparation and constitutional availability should govern the interpretation.

Later criticism of Edgar often assumes that his failure to defeat William proves personal inadequacy. Such judgement ignores the position he inherited. The English field army had been shattered. Many of the leading warriors and nobles were dead. William possessed experienced forces, fortified positions and control of strategic movement. Edgar had no established command apparatus from which to reverse that disaster.

A mature and experienced prince might also have failed.

Edgar's youth made the problem worse, but it did not create it.

His later military career further complicates any portrayal of inherent weakness. Edgar participated in rebellion, undertook dangerous travel, associated with Robert Curthose, played a major role in the Scottish restoration of 1097 and fought at Tinchebray. The adult figure visible in these episodes was not incapable of action.

The boy of 1066 should therefore be judged according to the extraordinary collapse surrounding him, not according to expectations formed from a kingdom he never received intact.

Edgar's sisters and the family household

Margaret and Christina formed part of the environment in which Edgar's identity was preserved. Their later lives followed different directions, but both remained important to the royal family's continuity.

Margaret's marriage to Malcolm III would become one of the great dynastic unions of the period. Through her, the Wessex line entered the Scottish royal house and ultimately returned to the English monarchy through Matilda of Scotland and Henry I.

Christina's religious life placed her within another sphere of power. Romsey Abbey was not an insignificant retreat. Royal and aristocratic religious houses could preserve status, property, education and family memory. Christina's later association with the upbringing or supervision of her nieces further indicates that she occupied a position of authority within the religious world.[8]

The sibling household after 1057 therefore contained multiple possible futures. Edgar represented the surviving male royal direction; Margaret would transmit the line through marriage and issue; Christina represented a religious and landed royal presence.

There is no need to assume that anyone in the late 1050s foresaw these developments. Their importance lies in the fact that the family did not depend entirely upon Edgar's biological descendants for continuation.

This distinction later becomes relevant to the collateral descent of the proposed dignity. It does not alter Edgar's childhood status, but it explains why the family household matters beyond biography.

Christina's religious profession and the absence of any credible spouse or child point strongly toward her death without issue, although the conclusion remains dependent upon secure authority.

Margaret's issue is not in doubt. Through her, the royal line demonstrably continued.

Royal memory and inherited expectation

Edgar's upbringing would have been surrounded by memories of dispossession. His grandfather had fought Cnut and died after partitioning the kingdom. His father had spent most of his life abroad. His family had returned only for the expected restoration to fail through sudden death. These events were not remote history. They belonged to the experience of Edgar's parents and household.

The family's understanding of kingship may therefore have differed from that of a dynasty secure in uninterrupted possession. It knew that royal right could survive exile and that recovery depended upon political opportunity. Edgar's later persistence—returning after rebellion, reconciling with former enemies, moving among courts—fits the behaviour of a dynast accustomed to survival without stable possession.

That inherited expectation may also explain why Edgar remained politically active for so long. He did not disappear after 1066 because defeat had already been part of his family's history. Exile did not necessarily mean extinction.

The English and Norman rulers around him would have understood the same lesson. A dispossessed Wessex prince could remain dangerous because his claim might survive until circumstances changed.

William's need to accommodate Edgar was therefore reinforced by dynastic memory. The line of Edmund Ironside had already returned once after decades abroad.

The geographical environment of Edgar's youth

Royal estates and places associated with the Wessex dynasty, particularly in and around Oxfordshire, provide additional context for Edgar's upbringing, although their principal relevance lies in the later territorial inquiry.

Anglo-Saxon kingship was itinerant. The royal household moved among estates and centers where food rents, justice, religious observance and political consultation could be organised. A royal child raised under the Confessor's protection would therefore have encountered kingship as movement across a network rather than government from one permanent capital.

Wantage, Winchester, Westminster, Gloucester, Oxford, Islip and other royal or ecclesiastical centers formed parts of a broader landscape of kingship. The exact movements of Edgar cannot be reconstructed from the available evidence. It would be unsafe to say that he was raised specifically at one of the Oxfordshire places later associated with his ancestors.

The geographical research remains valuable when used proportionately. It demonstrates that the Wessex dynasty possessed deep associations across southern and central England and that Oxfordshire lay within a historically significant royal region. It does not prove where Edgar slept, studied or received instruction.

The landscape remains historically relevant without supplying unwarranted biographical certainty.

This controlled use is especially important because later title arguments can easily become circular. Edgar cannot be made Earl of Oxford by first assuming that he was raised in Oxfordshire and then treating that assumed upbringing as evidence of the title.

The proper sequence is different. His Wessex background establishes dynastic context. Independent evidence must establish the probable comital creation and territorial identification.[9]

The political education of dependence

Edgar's upbringing may be understood as an education in dependence upon stronger political actors.

After his father's death he depended upon the Confessor. In January 1066 the kingdom depended upon Harold rather than him. After Hastings the English leadership depended upon Edgar's blood while Edgar depended upon their support. Following submission, he depended upon William's settlement. During rebellion he depended upon Scottish and English allies. Later he depended at different times upon Norman princes and royal reconciliation.

This repeated pattern was not simply personal weakness. Medieval political power was relational, and even kings depended upon bishops, earls, household warriors and landed resources.

The difference in Edgar's case was that he possessed exceptional status without an enduring institutional base.

His upbringing preserved the status but did not supply the base.

That imbalance made him unusually adaptable and unusually vulnerable. He could be elevated rapidly because his claim was already understood. He could also be displaced rapidly because the power supporting him belonged largely to others.

The events of late 1066 would reveal both sides of that condition.

From Ætheling to king

The transition from recognised prince to constituted king did not occur in January 1066 because the political community preferred Harold's immediate capacity. It occurred after Hastings because the available alternatives had changed.

This sequence confirms the continuing force of Edgar's upbringing and designation. Had Ætheling become a meaningless courtesy, his selection after Hastings would be inexplicable. The leaders at London did not choose him because of military achievement or territorial power. They chose him because he represented lawful royal continuity.[10]

The period between 1057 and 1066 had therefore succeeded in preserving one essential fact: Edgar remained recognisable as the royal heir of the Ironside branch.

It had failed to achieve another: it had not equipped him to defend that status independently. The distinction shaped the brief kingship examined in Chapters 3 and 4. Edgar could be constituted through recognition. He could not maintain rule without force.

The Peterborough episode would demonstrate that royal authority was exercised in his name. William's advance would demonstrate that authority's practical limits.

Evidential discipline

The subject invites speculation because the documentary record is thin. A child of famous ancestry who later stood at the centre of great events appears to demand an account of formation equal to his importance. The evidence does not permit such detail.

No surviving source allows this book to describe Edgar's personality as a child. It cannot say whether he was ambitious, reluctant, scholarly, martial, confident or timid. It cannot identify a favourite residence, companion or tutor.

Nor can it state that the Confessor formally named him heir merely because his father had been recalled. The succession remained politically open, and later events show that other claims retained greater practical strength.

The evidence does support several firm conclusions.

Edgar was preserved within the English royal environment after his father's death. He was recognised as an Ætheling. His lineage remained constitutionally meaningful. His age weakened but did not legally extinguish his capacity to become king. No adequate regency or independent power structure was created around him. His royal identity survived Harold's accession and became decisive after Hastings.

These conclusions are sufficient to establish the chapter's argument without inventing a childhood biography.

Chapter conclusion

Edgar's upbringing preserved a dynasty but did not prepare a government. Between 1057 and 1066 he remained within the protection and political orbit of Edward the Confessor's court. He was recognised through the language of Ætheling as a prince of the royal family and a person whose lineage carried constitutional significance. That recognition survived his father's death and Harold's accession.

Yet Edgar was not provided with the independent resources that would have enabled him to become an effective king upon the Confessor's death. He possessed no established regency, territorial command or military following comparable to Harold Godwinson's. His youth mattered because it intensified those institutional deficiencies, not because an absolute rule of age barred him from kingship.

The political decision of January 1066 therefore reflected necessity rather than the extinction of Edgar's right. Harold was chosen because he could govern and defend the kingdom. Edgar remained the dynastic alternative.

After Hastings, when Harold and the senior Godwin leadership were dead, that alternative became immediate. The same political community that had passed over Edgar in January constituted him king in October. His upbringing had preserved precisely the identity required for that response.

The Ætheling was not yet a ruler in possession. He was the surviving constitutional possibility of the Wessex house. That possibility now entered the crisis of 1066.

Chapter 2 endnotes

[1] D. N. Dumville, 'The Ætheling: A Study in Anglo-Saxon Constitutional History', Anglo-Saxon England, 8 (1979), pp. 1–33, for the historical development and constitutional use of the designation.

[2] New Minster Liber Vitae, British Library, Stowe MS 944, fol. 29r, where Edgar appears as 'Eadgar Clito'; see also Simon Keynes (ed.), The Liber Vitae of the New Minster and Hyde Abbey, Winchester (Copenhagen: Rosenkilde and Bagger, 1996).

[3] Frank Barlow, Edward the Confessor, 2nd edn (New Haven and London: Yale University Press, 1997), for Edward the Exile's recall, Edgar's position after 1057 and the probable protection of the surviving family.

[4] Tom Licence, Edward the Confessor: Last of the Royal Blood (New Haven and London: Yale University Press, 2020), especially the discussion of Edgar's guardianship and position within the Cerdic line.

[5] Nicholas Hooper, 'Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader', Anglo-Saxon England, 14 (1985), pp. 197–214, for the fragmented state of the evidence and Edgar's later political and military career.

[6] The later claim that Harold created Edgar Earl of Oxford is transmitted through early-modern and eighteenth-century sources, principally the tradition later associated with Hume. It is not treated in this chapter as a contemporary fact.

[7] Comparative scholarship on minority kingship supports the distinction between practical incapacity and a fixed legal age bar. No universal rule automatically excluded an under-age royal dynast from recognition where a workable minority government could be sustained.

[8] Domesday and Romsey material concerning Christina will be cited in the later chapter devoted to collateral descent and the Christina audit. The evidence establishes religious and landed status more securely than marriage or issue.

[9] The earlier research discussions of the Ætheling designation, Edward the Confessor's household and the Wessex royal landscape are retained as context, with claims of formal adoption, fixed residence or automatic succession excluded where unsupported.

[10] The Anglo-Saxon Chronicle, relevant recensions, for Harold II's accession, Edgar's post-Hasting's elevation and the family's later movement. The chronicle evidence is used together with the constitutional and narrative sources examined in Chapters 3 and 4.

CHAPTER 3
The Succession Crisis of 1066

The death of Edward the Confessor on 5 January 1066 opened one of the most consequential succession crises in English history. The crisis did not arise because England possessed no recognised royal family, nor because the kingdom lacked political institutions capable of choosing a ruler. It arose because several different forms of legitimacy converged upon competing candidates at the moment when external invasion and internal division placed extraordinary pressure upon the succession.[1]

Edgar Ætheling stood at the centre of that conflict by birth, but not at its centre by power. He was the surviving male representative of the direct line through Edmund Ironside. His father had been recalled to England in circumstances closely connected with the unresolved future of the throne. He had been recognised as an Ætheling, and his claim remained constitutionally intelligible. Yet he was young, had no established territorial command and possessed no independent military following capable of controlling the kingdom at the Confessor's death.[2] Harold Godwinson, by contrast, possessed the qualities Edgar lacked. He was an adult magnate, the most powerful earl in England, an experienced commander and a figure able to act immediately. William, Duke of Normandy, advanced a rival claim founded upon alleged designation by Edward, kinship through the Confessor's Norman family and Harold's disputed oath. Harald Hardrada of Norway relied upon a Scandinavian claim derived from earlier arrangements and supported by military force. Tostig Godwinson, Harold's exiled brother, attached himself to the Norwegian invasion and transformed a foreign claim into an English civil conflict.

The succession was therefore not a contest among equal legal propositions. It was a confrontation among blood, designation, political recognition, military capacity and conquest. Edgar's path to kingship after Hastings can be understood only by first examining why he was not selected in January.

Edward the Confessor's death

Edward the Confessor died during the night of 4–5 January 1066. His burial and Harold's coronation followed with remarkable speed.

The compressed sequence has often been treated as evidence of conspiracy or usurpation. It is more securely understood as evidence of urgency. A king's death created a political vacuum, and England faced known external threats. Delay could invite disorder, rival proclamation or invasion.

The Bayeux Tapestry depicts Edward upon his deathbed and Harold receiving royal authority. Norman sources later interpreted the scene as a betrayal of William's right. English tradition emphasised Edward's final commendation of the kingdom to Harold. The precise words spoken by the dying king cannot be recovered with certainty.[3]

The Vita Ædwardi Regis preserves the tradition that Edward commended his wife and kingdom to Harold during his final illness. That evidence is important because it belongs close to the royal household, but it is not a modern constitutional instrument and cannot by itself settle the succession. Its language must be read with the political act that followed: the leading men accepted Harold and the Church consecrated him.[4]

The concept of a deathbed designation was politically significant but not necessarily conclusive. An English king could express a preference, but succession still required recognition by the leading men and consecration by the Church.

Harold's accession depended not merely upon what Edward may have said but upon the willingness of the political community to accept him.

Edgar's absence from the immediate decision does not prove that his genealogy had been forgotten. It reflects the practical judgement that a young prince without an established governing coalition could not meet the crisis as effectively as Harold.

The distinction between genealogical right and political selection is essential. Later hereditary monarchy encourages the assumption that the nearest dynastic heir should have succeeded automatically. Late Anglo-Saxon kingship operated differently. Royal birth defined eligibility, but recognition and capacity determined which eligible or politically acceptable person actually ruled.

Harold was not of the direct male royal line. His kingship therefore required stronger reliance upon election, alleged designation and political necessity. Edgar possessed the stronger Wessex blood but lacked immediate capacity. The decision of January was a choice between those forms of legitimacy.[5]

Harold Godwinson's position

By 1066 Harold had become the dominant lay magnate in England. His family controlled extensive earldoms, wealth and political relationships. He had campaigned in Wales, negotiated abroad and acted repeatedly near the centre of royal government. Whatever judgement is made about the legitimacy of his accession, he possessed the practical qualifications required for immediate rule.

The speed of Harold's coronation reinforced the new regime before rival forces could organise. Westminster supplied continuity with Edward's royal foundation, while consecration transformed political selection into public kingship. The act was not merely a private seizure by one family. It required the cooperation of ecclesiastical and secular leaders whose acceptance gave Harold authority throughout the kingdom.

Harold's claim has often been judged through the Norman accusation that he had sworn to support William. The nature, circumstances and legal force of the alleged oath remain contested. Norman writers presented it as a sacred undertaking whose breach justified invasion. English political action in January shows that the leading men did not regard the oath, if made, as binding the kingdom to William.

Harold's strongest claim therefore lay in present capacity. He could govern, command armies and respond to invasion. Those qualities were not secondary to kingship in 1066; they were among its essential functions. A ruler who could not protect the realm might possess blood without effective authority.

This practical logic explains why Edgar was passed over without requiring the conclusion that he had no right. Harold's selection answered the immediate needs of January. It did not extinguish the dynastic possibility embodied in the Ætheling.

The campaigns that followed demonstrated both the strength and the fragility of the decision. Harold mobilised the kingdom against threats from north and south. His capacity justified his accession, but the concentration of authority in him and his brothers meant that their deaths would destroy the structure that had displaced Edgar.[6]

Harold and Edgar

The relationship between Harold II and Edgar is difficult to reconstruct because the surviving sources focus upon the larger succession contest involving William of Normandy and the events leading to Hastings. There is no reliable evidence that Harold persecuted Edgar or regarded him as a personal enemy.

Edgar appears to have remained in England and within the recognised royal community during Harold's reign. Had Harold believed him to be an immediate and organised threat, one might expect evidence of confinement, exile or dispossession. None is securely recorded.
Harold's position was probably strengthened, rather than weakened, by treating Edgar honourably. Acknowledging the boy's royal status while assuming the practical burden of kingship allowed Harold to present himself as the defender of England rather than the destroyer of the Wessex line.

The later Hume tradition states that Harold conferred the Earldom of Oxford upon Edgar and that William subsequently confirmed it. No contemporary source has yet been identified that proves this grant. It therefore remains a later and secondary tradition rather than an established feature of Edgar's position in 1066.

A Haroldian grant would fit one possible political logic: honour the royal boy, recognise his status and bind him to the new regime without surrendering the throne. Historical plausibility, however, is not proof. Until the early-modern source pathway is traced more securely, the proposition must remain secondary.

What can be said is that Edgar survived Harold's reign with his royal identity intact. When Harold died, the surviving English leadership did not have to rediscover an unknown claimant. Edgar was present, known and constitutionally available.

The absence of a fixed age rule

One of the recurring explanations for Edgar's failure to become king in January 1066 is that he was too young. As a practical statement, this is persuasive. As a legal statement, it requires qualification.

No secure rule has been demonstrated by which an English king had to reach a fixed age before he could be recognised. Later legal notions of majority should not be projected mechanically into eleventh-century kingship.

A boy of royal blood could become king where political circumstances permitted and a regency could be maintained. The difficulty was not simply Edgar's age in isolation. It was the interaction between age and institutional weakness.[7]

Edgar had no living father, no adult brother, no established territorial power and no identified military household. His mother was a royal widow of continental background whose political network in England cannot be shown to have rivalled that of the Godwins. His sisters contributed dynastic importance but could not command the military crisis of 1066.

A successful child kingship would therefore have required the leading earls and bishops to subordinate their rivalries and govern collectively. The political history of the 1050s and 1060s provides little reason to assume such unity.

Harold supplied what Edgar lacked: adult command.

After Hastings, however, the choice was no longer between an experienced Harold and a young Edgar. Harold, Gyrth and Leofwine were dead.

William's claim

William of Normandy's claim rested upon a different combination of kinship, alleged designation, oath and force. Edward the Confessor's Norman connections gave William a plausible place within the wider dynastic field, but they did not make him the nearest representative of the Wessex male line.

Norman writers asserted that Edward had promised William the succession and that Harold later swore to uphold that arrangement. The surviving accounts were shaped by the conquest they sought to justify. They must be taken seriously as evidence of the Norman case without being treated as neutral records of a settled English law.

William also secured ecclesiastical and diplomatic support for invasion. The campaign was presented not merely as an expedition for territorial gain but as the enforcement of a rightful claim against a perjured usurper. That ideological structure helped bind followers to the enterprise and framed victory as judgement. Its effectiveness ultimately depended upon conquest.

That dependence does not make the claim irrelevant. Medieval conquest was often justified through legal and religious narratives. William needed more than victory on the battlefield. He sought to present himself as the rightful successor punishing a perjured usurper.[89]
Edgar complicated that narrative.

If Harold could be dismissed as a usurper outside the royal line, Edgar could not. He represented the dynasty from which the kings before Harold had descended. After Hastings, his constitution as king created a rival legitimacy that William had to overcome politically as well as militarily.

Harald Hardrada and Tostig

The Norwegian invasion intensified the succession crisis and weakened England before William landed.

Harald Hardrada's claim derived from Scandinavian arrangements associated with the reigns of Harthacnut and Magnus of Norway. The legal continuity of that claim was questionable from the English perspective, but Hardrada possessed the military power to make it consequential. Tostig Godwinson's involvement transformed the invasion further. Tostig had been Earl of Northumbria but was expelled in 1065 after a regional revolt. Harold accepted the replacement of his brother, deepening the family conflict.

Tostig sought support abroad and eventually joined Hardrada. Their campaign entered northern England and defeated English forces at Fulford. Harold responded with an extraordinary forced march north and defeated the invaders at Stamford Bridge on 25 September 1066.
The victory was decisive but costly.

Harold's army then had to turn south to confront William, who had landed in Sussex. The speed of the two campaigns placed enormous strain upon English forces. The kingdom entered Hastings after defeating one invasion but without the opportunity to recover fully.
Edgar played no recorded military role in these campaigns. That silence is consistent with his age and lack of command. It should not be converted into evidence that he was ignored constitutionally. The defense of the kingdom lay in Harold's hands because Harold had been selected precisely for his capacity to provide such defense.

The destruction of Hardrada and Tostig removed two claimants but exhausted the regime that had defeated them.

The succession question was therefore reopened through military catastrophe rather than legal deliberation.

The Battle of Hastings

The Battle of Hastings on 14 October 1066 killed Harold II and his brothers Gyrth and Leofwine. It also destroyed or dispersed a substantial portion of the English military leadership. The battle was not merely the death of a king. It was the collapse of the governing coalition that had justified Harold's accession in January.

Harold's practical advantage over Edgar had been adult leadership supported by powerful brothers, household troops and regional authority. Hastings removed that entire structure in one day.

William's victory was immense, but it did not instantly make him King of England. He had defeated the reigning king and occupied the battlefield. He had not yet secured London, received the submission of the remaining English leadership or undergone coronation.

The distinction between battlefield victory and lawful possession is central to Edgar's story. If Hastings alone transferred the Crown automatically to William, the subsequent selection of Edgar would be meaningless. The surviving political community did not behave as though the throne had passed by immediate operation of military success. It attempted to continue English kingship through the remaining royal prince.

The sources differ in detail but converge sufficiently upon Edgar's elevation. London and the surviving leaders turned to him after Harold's death. His youth remained a problem, but the comparative field had changed.[10]

There was no longer an adult Godwinson king.

William was a foreign conqueror advancing toward the capital.

Edgar's direct royal blood now outweighed the practical disadvantages that had excluded him in January.

Who supported Edgar?

The identity and motives of Edgar's supporters require careful treatment.

The principal surviving figures included Archbishop Ealdred of York, the brothers Edwin and Morcar, and leading men associated with London. Stigand, Archbishop of Canterbury, also remained a major political figure, though the sources differ in their presentation of individual roles.

Edwin and Morcar possessed regional power in Mercia and Northumbria. Their support could have provided the military foundation Edgar lacked. Yet their conduct after Hastings was hesitant. They may have hoped to preserve regional authority, negotiate favourable terms or avoid committing exhausted forces to another battle.[11]
The London population and civic leadership also mattered. London was a major political and commercial centre with defensive capacity. A king constituted there could claim continuity with the English regime.

Edgar's selection therefore depended upon a coalition of ecclesiastical, aristocratic and urban support. It was not the private declaration of his family.

The extent and unity of that coalition remain uncertain. Some sources suggest that the leaders selected Edgar but failed to organise effective resistance. Others imply internal disagreement or rapid collapse of resolve.

The weakness of the coalition should not be confused with the unreality of the constitutional act.

Political communities often make valid decisions that they later prove unable to enforce. Edgar's kingship failed because its supporting structure disintegrated under military pressure, not because no act of recognition occurred.

Election, constitution and proclamation

The language used to describe Edgar's elevation varies across sources and translations.

He is said to have been chosen, elected, established or raised as king. These verbs can carry different constitutional implications when read through later legal categories. The safest historical method is to identify their common meaning rather than force them into a single technical formula:

- The English leadership recognised Edgar as the person who should hold the kingship after Harold's death.
- This book uses the phrase constituted King of the English because it captures the political act without claiming ceremonies that cannot be proved.
- "Elected" is historically appropriate in the broad sense of selection by the leading men. It should not suggest a modern popular election.
- "Proclaimed" may describe public announcement but does not by itself establish the full act of recognition.
- "Crowned" is unsupported by surviving evidence.
- "Anointed" and "enthroned" are likewise unproved.
- "Constituted" acknowledges that Edgar was placed in the royal position by the recognised political leadership, even though the kingship was not consolidated through coronation and possession of the whole kingdom.

This formulation is stronger than describing him as merely "nominated".

A nomination is a proposal awaiting acceptance. Edgar's position went beyond proposal because institutions acted upon his authority, most notably in the Peterborough abbatial appointment examined in Chapter 4.[12]

The terminology is therefore grounded in consequence as well as wording.

Why Edgar, and why then?

Edgar's selection after Hastings becomes intelligible when the alternatives are examined:

- Harold and his principal brothers were dead.
- Tostig and Hardrada were dead.
- The remaining English earls lacked royal blood and may have distrusted one another. William had not yet received submission or coronation.
- Edgar was the surviving male representative of the old royal house.
- His age, which had counted against him in January, remained a practical difficulty but was no longer sufficient to outweigh his dynastic value. A regency or council could theoretically govern in his name while resistance continued.

The decision was therefore not irrational desperation. It followed the constitutional logic of the old kingdom.

The leadership needed a king around whom English government and resistance could continue. Edgar's blood supplied continuity, while the earls, bishops and citizens were expected to supply the power he did not possess personally.

That division of functions was both the foundation and the weakness of the new regime. Edgar could be recognised immediately, but he could not compel unity among the magnates upon whom his kingship depended.

London and the brief English regime

London became the natural centre of Edgar's kingship. It remained unconquered, possessed wealth and defensive strength, and contained the institutional community capable of sustaining a public act of recognition.

The Carmen de Hastingae Proelio presents London as possessing a king and describes Edgar in language of election and intended royal consecration. The poem is not a neutral English record, and questions remain about its authorship, date and relation to other Norman narratives. Its language nevertheless confirms that Edgar's elevation formed part of the political sequence William confronted.[13]

William of Poitiers likewise states that the English had established Edgar as king. His purpose was to glorify William, not to strengthen Edgar's constitutional reputation. The acknowledgement is therefore significant even while the possible textual relationship among Norman accounts prevents their evidence from being counted mechanically as wholly independent.

The regime's internal machinery cannot be reconstructed in detail. No royal seal, charter or coin issued in Edgar's name survives. No complete council list records the offices exercised around him. The absence of such material is unsurprising given the brevity, military pressure and ultimate defeat of the government.

The lack of surviving instruments does not reduce every act to mere intention. Peterborough's recourse to Edgar for confirmation of Brand as abbot demonstrates that at least one institution treated him as capable of exercising royal authority. That episode belongs fully to Chapter 4, but its existence prevents Chapter 3 from describing the London settlement as a proposal that never became operative.

Edgar's authority was therefore limited but not empty. Recognition created a royal centre; institutional obedience gave that centre practical consequence; military weakness prevented it from becoming durable possession.

William's advance and the collapse of resistance

William did not march directly into London after Hastings. He secured the south-east, received submissions, crossed the Thames and maneuvered around the capital. The strategy combined devastation, encirclement and negotiation. It deprived the English coalition of confidence while demonstrating that no relieving army was likely to reverse the battle.

The surviving leaders failed to convert Edgar's recognition into a coordinated national defense. Edwin and Morcar withdrew or hesitated; ecclesiastical figures opened negotiations; local communities faced the immediate cost of continued resistance. A regime dependent upon collective leadership weakened as each component reconsidered its interests.

Edgar's age became decisive again, not because it invalidated his kingship but because he could not dominate the coalition when its senior members began to submit. An adult warrior king with an independent household might have continued the struggle beyond London. Edgar possessed no comparable force.

The submission at Berkhamsted ended the brief English regime before William's coronation. Edgar, Ealdred, Edwin, Morcar and other leading men acknowledged William. The precise order and language of the submissions are not preserved uniformly, but the political result is clear: the coalition that had constituted Edgar abandoned resistance and accepted the Norman claimant.[14]

Submission terminated Edgar's exercise of kingship. It did not retroactively erase the act by which he had been recognised.

William's coronation on Christmas Day completed the transition to a new and durable regime. The ceremony gave him the ecclesiastical and public consolidation Edgar had not achieved. It also transformed the political problem presented by Edgar. The Ætheling was no longer the centre of an active English government, but he remained a recently constituted king and the surviving male dynast of the displaced house.

Nor does defeat eliminate Edgar's political significance. William still had to decide what rank, property and place should be assigned to him within the new order.
That decision leads directly to the probable comital settlement examined in Chapters 5 and 6.

Alternative interpretations

The principal alternative interpretation treats Edgar as no more than a briefly proposed claimant.

Under this model, the leaders at London discussed or nominated him but never completed the act necessary to make him king. William's advance then ended the proposal before it became operative.

This interpretation draws strength from the absence of coronation, the brevity of the episode and the lack of a surviving royal charter issued in Edgar's name. It cannot be dismissed without argument.

The evidence of Brand of Peterborough, however, presents a difficulty for the purely nominative model. Brand sought and received confirmation from Edgar. The act was remembered because William later objected to it.

An institution therefore treated Edgar as capable of exercising royal authority.

A second interpretation accepts that Edgar was elected but reserves the word "king" for a crowned ruler. This is partly a matter of terminology. It recognises the political act but defines kingship ceremonially.

The difficulty is that it risks imposing a rigid later threshold upon an emergency succession. The sources themselves do not consistently confine royal identity to completed coronation.

A third interpretation presents Edgar as lawful king in a fully equivalent sense to Harold and William. This goes too far. His authority was not consolidated, his territorial control was limited and no coronation is known.

The position adopted here lies between minimisation and overstatement.

Edgar was constituted king and exercised at least one act of royal authority. His kingship was real but incomplete, brief and defeated.

The constitutional meaning of defeat

A victorious claimant often controls the later historical record. William's success shaped the official and historiographical sequence through which 1066 was remembered.

William's coronation created a durable regime that traced legitimacy through Edward the Confessor while condemning Harold as perjured. Edgar could be treated as a minor obstacle whose brief elevation did not fit the new succession narrative.

Later regnal lists reinforced that outcome by privileging crowned and enduring possession. The constitutional significance of Edgar survived more clearly in narrative sources than in the formal list of kings.

This disparity is not unusual. Historical memory often simplifies contested transitions by recognising the regime that endured. This book restores the intermediate stage without denying William's eventual kingship.

Between Harold II and William, I stood a short-lived English attempt to continue the old royal house through Edgar.

The designation Edgar II is interpretative and retrospective. It identifies the historical conclusion reached in this study without claiming that a contemporary regnal number was used or that modern official recognition has been issued. [15]

The crisis as the foundation of the earldom question

The succession crisis is not merely background to the proposed Earldom of Oxford. It is the reason a substantial settlement became necessary.

If Edgar had been an ordinary boy of royal ancestry who never received recognition, William might have treated him through guardianship or modest provision. If Edgar had been only a defeated rebel, confiscation and exile might have sufficed. Instead, William confronted a person whom the English leadership had constituted king.

Edgar's submission contributed to William's political recognition. His continued presence could either stabilise or threaten the new regime. A dignified accommodation therefore served William's interests.

The later evidence that William provided Edgar with substantial lands gains greater significance in this context. Land was not random generosity. It formed part of the management of a rival royal figure.

Comital rank would have offered a recognised means of preserving Edgar's status below the Crown while binding him to the new order.

The argument for probable creation begins with the constitutional facts established in this chapter.

Evidential limits

- The exact date of Edgar's constitution is not securely recorded.
- The precise membership of the assembly that selected him is uncertain.
- No coronation order, royal seal or charter issued in his name survives.
- The extent of his territorial control cannot be measured.
- The exact language of his submission to William is not known.
- These limitations require qualification but do not erase the common evidential core.
- The surviving leadership selected Edgar after Harold's death.
- He was treated by at least one religious institution as capable of royal action.
- William had to compel the submission of the regime and political community supporting him.
- Edgar then relinquished the position and entered the Norman settlement.

The facts support a kingship defined by constitution and limited exercise, not by completed coronation and durable possession.

Chapter conclusion

The succession crisis of 1066 passed through three distinct English royal positions.
Edward the Confessor died without acknowledged issue. Harold Godwinson was selected and crowned because adult capacity and military necessity outweighed Edgar's superior direct Wessex blood.

After Harold's death at Hastings, the basis of that decision disappeared. The surviving political leadership then turned to Edgar. They did so because he was the recognised Ætheling and surviving male representative of the royal house. His selection was not a symbolic compliment. It constituted him as King of the English at a moment when William had won a battle but had not yet secured the Crown.

Edgar's kingship remained incomplete. No coronation, anointing or enthronement is known. His coalition lacked the military and institutional strength required to resist William's strategic advance. The regime submitted before it could consolidate.

Yet incompleteness is not non-existence.
The constitutional act explains the Peterborough confirmation, the seriousness of William's negotiations and the scale of the later accommodation. The boy passed over in January became the king required in October. His defeat did not remove the significance of that transformation. It made the political settlement that followed unavoidable.

Chapter 3 endnotes

[1] The Anglo-Saxon Chronicle, manuscripts D and E, for Edward the Confessor's death, Harold's accession, the invasions of 1066 and Edgar's position after Hastings.

[2] D. N. Dumville, 'The Ætheling: A Study in Anglo-Saxon Constitutional History', Anglo-Saxon England, 8 (1979), pp. 1–33, for Edgar's dynastic eligibility and the political meaning of his designation.

[3] The Bayeux Tapestry, scenes concerning Edward's death, Harold's accession, the Norman claim and Hastings, used as a contemporary visual narrative requiring comparison with written sources.

[4] Vita Ædwardi Regis, for Edward the Confessor's final illness, death and the tradition concerning the commendation of the kingdom and household to Harold; the Latin and its translation require careful comparison with the political sequence.

[5] Frank Barlow, Edward the Confessor, 2nd edn (New Haven and London: Yale University Press, 1997), for the succession background and competing claims at Edward's death.

[6] Ian Walker, Harold: The Last Anglo-Saxon King (Stroud: Sutton, 1997), for Harold's political and military position and the campaigns of 1066.

[7] Comparative scholarship on child kingship and minority government supports the distinction between practical weakness and a fixed constitutional age bar. No universal rule automatically excluded an under-age royal dynast where a workable minority government could be sustained.

[8] William of Poitiers, Gesta Guillelmi, for the Norman account of Edward's alleged designation of William, Harold's oath, Hastings and the English establishment of Edgar as king.

[9] David Bates, William the Conqueror (New Haven and London: Yale University Press, 2016), for William's claim, invasion strategy and post-Hastings approach to London.

[10] Nicholas Hooper, 'Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader', Anglo-Saxon England, 14 (1985), pp. 197–214, for the post-Hastings episode and the limitations of the narrative sources.

[11] Stephen Baxter and related scholarship on the late Anglo-Saxon earldoms, Edwin, Morcar and the regional political structure after Hastings.

[12] The Brand of Peterborough evidence, treated fully in Chapter 4, provides the principal surviving example of authority exercised after Edgar's constitution.

[13] Carmen de Hastingae Proelio, for the post-Hastings political sequence, London's possession of a king and William's approach to the capital; the relevant Latin and editorial attribution remain matters for precise source comparison.

[14] Orderic Vitalis, Historia Ecclesiastica, for the succession narrative, Edgar's recognition and later submission.

[15] The designation Edgar II is interpretative and retrospective. It distinguishes the study's historical recognition of kingship from any claim that a contemporary regnal number was used or that modern official recognition has been issued.

This page is intentionally left blank.

PART II — KINGSHIP AND SETTLEMENT

This page is intentionally left blank.

CHAPTER 4
Constituted King of the English

Edgar Ætheling's place in the political sequence of 1066 has often been compressed into a single, dismissive proposition: after Harold II died at Hastings, a group of English leaders briefly considered Edgar as a successor, but he was never crowned and therefore never became king. That formulation understates the surviving evidence and obscures the constitutional character of the English response to William's victory.

The stronger and more accurate conclusion is that Edgar was constituted King of the English by the surviving political leadership after Hastings. He was recognised as the royal figure around whom resistance and government were to continue, and at least one surviving institutional act was performed through his authority. His kingship was not consolidated by durable military possession, and no secure independent evidence proves that he was crowned, anointed or enthroned. It was nevertheless more than a candidacy, proposal or uncompleted nomination.

The distinction matters because William of Normandy did not negotiate merely with a royal child whom a few magnates had discussed as a possible future ruler. He confronted a political community that had established a successor to Harold and had begun to act in that successor's name. Edgar's subsequent submission therefore involved the displacement of an operative royal identity, and the scale and character of William's settlement followed from that fact.

This chapter examines the sources describing Edgar's elevation, the constitutional language they employ, the Peterborough confirmation of Abbot Brand, the role of London and the surviving English leadership, the unresolved question of consecration, and the historical consequences of treating Edgar's kingship as real but incomplete.

From candidate to constituted king

Before Hastings, Edgar was a recognised Ætheling: a prince of the royal house whose ancestry made him eligible for kingship. After Hastings, the surviving leaders of the English kingdom moved beyond recognition of eligibility and placed him in the royal position.[1]

The distinction between the two stages is fundamental. A claimant may possess blood right without being selected. A nominated successor may be proposed without receiving political acceptance. Edgar's position after 14 October went further because the leading men acted collectively to establish him and because a major religious institution subsequently sought royal confirmation from him.

Professor Tom Licence's expert assessment gives particular weight to this evidence. He concludes that the English had established Edgar upon the throne in October or November 1066.[2]

In support, he draws upon the Carmen de Hastingae Proelio, William of Poitiers and the Peterborough entry of the Anglo-Saxon Chronicle. The Carmen describes Edgar as elected and announces that London had a king; William of Poitiers states that the English had established Edgar as king; and the Peterborough monks treated him as capable of confirming their abbot-elect.

These witnesses do not preserve identical wording, and they must not be treated as wholly independent without examining their textual relationships. William of Poitiers may have known or used the Carmen, while the Peterborough annal belongs to a separate monastic record. The convergence is nevertheless significant because the sources approach the event from different

institutional perspectives: a poem celebrating the Norman victory, a Norman historical account, and an English monastic chronicle concerned with the appointment of an abbot.[3]

Together they show that Edgar's kingship was known both to those describing William's conquest and to those attempting to conduct ecclesiastical business under the surviving English regime. The use of the phrase constituted king expresses this convergence without claiming more than the evidence permits. Edgar was placed in the kingship by the recognised political leadership. His position had constitutional substance even though it did not acquire every ceremonial and institutional feature of a settled reign.

The testimony of the Carmen

The *Carmen de Hastingae Proelio* is among the earliest narrative sources for the events surrounding Hastings and its aftermath. Its authorship, date and relationship to other narratives remain disputed, but its testimony concerning Edgar cannot be ignored.[4]

Professor Licence identifies three important elements in the relevant passage. Edgar is described as *electus*; language is used that may be translated as consecration or the intention that he be consecrated king; and news spreads that London has a king.

The first and third propositions are the least ambiguous for present purposes. The term *electus* indicates selection. It places Edgar beyond the status of a boy whose name was simply mentioned in discussion. The English political community had chosen him. The declaration that London has a king is stronger still. The phrase does not describe London as waiting for a claimant or protecting an heir. It presents the city as possessing a king in Edgar.

The middle expression, concerning *in regem sacrent*, requires greater caution. Depending upon grammar, context and translation, it may indicate consecration, an intention to consecrate, or the ceremonial completion anticipated by Edgar's supporters. Professor Licence understands the passage as indicating that Edgar had been elected and crowned or consecrated. That serious specialist interpretation does not remove the evidential problem created by the absence of any corroborating ceremonial account.
No coronation church is identified securely. No officiating archbishop is named in relation to a completed ceremony. No regalia, anointing, enthronement or coronation order is described. No English source independently records that the ceremony occurred.

The Carmen's potentially consecratory language remains distinct from a secure finding that Edgar underwent a completed coronation. The passage strengthens the conclusion that his supporters intended or understood him to hold kingship, but it does not establish a fully documented coronation. Professor Licence's reading remains a serious interpretation, but a major constitutional ceremony cannot be asserted categorically where the surviving description is brief, linguistically contestable and unsupported by the ordinary details through which such an event would be identified. The secure residue remains powerful: Edgar was elected, and London was said to have a king.

William of Poitiers: the English established King Edgar

William of Poitiers provides a second important formulation. In his account, the English had established Edgar as king—*regem statuerant*. The verb is significant. It conveys an act of setting up, appointing or establishing. It does not describe a mere suggestion.[5]

William of Poitiers wrote from the Norman side and intended to celebrate William's legitimacy and achievement. He had no obvious interest in magnifying Edgar unnecessarily. If anything, the Norman narrative benefited from presenting English resistance as disordered and William's

title as superior. His acknowledgment that the English established Edgar therefore carries weight.

The passage also helps clarify the political circumstances William faced after Hastings. William had killed Harold, but the kingdom had not accepted that battlefield victory automatically transferred the Crown. The English responded through their own constitutional practice and established a king from the royal house.

This fact undermines simplistic accounts in which William moved from Hastings to coronation across an empty throne. He had won the decisive battle, but he still needed the submission of the surviving magnates, control of London, recognition by the Church, and the removal or subordination of Edgar's kingship. William's later coronation was the culmination of that political process, not the automatic consequence of Harold's death.

William of Poitiers may have depended upon the Carmen. If his phrasing derives from the poem, the two witnesses cannot be counted mechanically as independent confirmations. Even in that event, William's interpretation remains important because he understood the earlier material to mean that Edgar had been established as king. Source dependence reduces numerical independence; it does not necessarily erase interpretative significance.

The Peterborough evidence

The appointment of Brand as abbot of Peterborough is the clearest surviving demonstration that Edgar's kingship entered the sphere of government. The vacancy arose after the death of Abbot Leofric. The Peterborough community selected Brand and sent him to Edgar to obtain royal confirmation. The Anglo-Saxon Chronicle E-text records the episode in its annal for 1066.[6]

The importance of the episode lies not merely in the use of a royal title. It lies in institutional conduct. A major monastery had practical reasons to secure lawful confirmation of its abbot. Abbatial office involved property, jurisdiction, royal protection and relations with the Church. The community's decision to approach Edgar shows that it regarded his authority as capable of completing the appointment.[7]

Brand's journey took place amid rapidly changing political conditions, and its exact chronology relative to Edgar's election and William's advance remains uncertain. The Peterborough account presents Brand as going to Edgar for confirmation. It does not preserve a transcript of Edgar's words or describe the advisers present.

It is possible that leading bishops or magnates directed the decision in Edgar's name. Edgar was young, and an emergency council would have been expected to guide him. That possibility does not make the act non-royal. Minor kings and inexperienced rulers often governed through councillors. Authority exercised in the king's name remained royal authority, provided the political community recognised the king as its source.

The question should therefore not be framed as whether Edgar independently analysed the monastic election and personally dictated a legal instrument. It is whether the appointment was referred to him because he occupied the royal position. The evidence says yes. The failure of his regime arose from the inability of the council to defend and consolidate the kingship, not from a theoretical incapacity to authorise decisions.

William's reaction to Edgar's authority

William's treatment of the Peterborough appointment demonstrates that the Norman government regarded Edgar's act as politically objectionable. A later ruler might simply ignore

an act performed by a person who had never possessed recognised authority. William instead responded because the confirmation represented competing kingship.[8]

The exact penalty and chronology must be stated cautiously, but the evidential principle is clear. Brand's appointment became part of the conflict between the English and Norman regimes. William's objection denied the legitimacy of royal acts performed after Hastings outside his authority, warned religious institutions against recognising rival kingship, and asserted control over major ecclesiastical appointments.

The episode therefore captures the constitutional transition in miniature. Edgar confirmed; William rejected or punished. The surviving appointment record preserves the moment when two claims to royal authority overlapped.

How long did Edgar's kingship last?

The precise date of Edgar's selection is uncertain. Harold died on 14 October. News, survivors and political leaders then had to reach London. The English response likely occurred in October or November.

The endpoint is associated with the submission of Edgar and the leading men during William's encirclement and negotiations, traditionally placed at Berkhamsted before William's coronation on 25 December. The kingship therefore lasted weeks rather than months in any substantial sense.

A short duration does not determine constitutional status. Medieval rulers could reign briefly through death, deposition or conquest. Length affects historical impact, but it is not a minimum qualification for kingship. Edgar's reign—or constituted kingship, for those who reserve reign for consecrated possession—was brief because the military situation was already disastrous at its beginning.

The book does not manufacture an exact regnal period such as 14 October to 24 December where the evidence does not secure both endpoints. The cautious historical formulation is that Edgar was constituted king after Hastings in October or November 1066 and relinquished the operative kingship before William's coronation on 25 December.

Did Edgar rule beyond London?

No reliable territorial map of Edgar's authority can be drawn. London formed the principal centre. The support of northern earls such as Edwin and Morcar implies potential regional reach, but their actual mobilisation under Edgar was weak.

Peterborough's approach indicates that Edgar's kingship was recognised beyond the city by at least one important institution. It would nevertheless be unsafe to claim that every shire accepted him, that taxes were collected nationally in his name or that the whole kingdom obeyed his commands.

The absence of a surviving chancery, coinage or extensive administrative record defines the limited effectiveness of the regime. It does not prove that a brief emergency kingship had no constitutional existence.[9]

Why Edgar, and why then?

Edgar's selection after Hastings becomes intelligible when the alternatives are examined. Harold and his principal brothers were dead. Tostig and Hardrada were dead. The remaining English earls lacked royal blood and may have distrusted one another. William had not yet received submission or coronation. Edgar was the surviving male representative of the old royal house.

His age, which had counted against him in January, remained a practical difficulty but was no longer sufficient to outweigh his dynastic value. A regency or council could theoretically govern in his name while resistance continued.

The decision was therefore not irrational desperation. It followed the constitutional logic of the old kingdom. When an adult defender from outside the direct royal line had been available, the English chose him. When that defender and his family were destroyed, they returned to the royal dynasty.
The movement from Harold to Edgar reveals the flexible but not arbitrary nature of succession. The English could recognise capability without abandoning hereditary legitimacy. When capability failed, legitimacy remained available in Edgar. This also explains William's later treatment of him. Edgar was not a random boy elevated in panic. He embodied the constitutional reserve of the kingdom.[10]

Was Edgar already king before Hastings?

The evidence does not support the proposition that Edgar had been reigning alongside Harold or possessed a dormant kingship before 14 October. He was an Ætheling and a potential successor, but Harold was the recognised and crowned king from January until his death.

The later use of the designation Edgar II should not collapse these distinct statuses. Before Hastings Edgar was a royal prince. After the surviving leadership selected him, he became the constituted king. The transition depended upon political recognition.

This distinction also prevents the claim that Harold's accession was merely an interregnum held on Edgar's behalf. No surviving evidence presents Harold as regent for Edgar. Harold exercised kingship in his own right and was recognised as such. Edgar's later constitution did not retroactively invalidate every act of Harold's reign.

The revised argument is therefore sequential rather than polemical. It recognises Harold II as the operative king from January to October and Edgar as the constituted successor after Harold's death. William's coronation later superseded that kingship through conquest, submission and recognition.

The question of coronation

The absence of a surviving record of Edgar's coronation has frequently been used to deny that he was king. This reasoning assumes that coronation created kingship in every circumstance and that no royal authority could exist before consecration. Medieval practice was more complex.[11]

Coronation was profoundly important. It provided ecclesiastical anointing, public legitimacy and ceremonial completion. A king who lacked coronation possessed a weaker and more contestable position. Yet succession and recognition could precede the ceremony. The death of one king and selection of another created an immediate need for authority. Administrative and political acts could not always wait for elaborate preparation.

The relevant question is therefore not whether coronation mattered. It plainly did. The question is whether the absence of coronation prevents the historian from recognising a prior act of kingship. The answer depends upon the evidence of recognition and authority.

In Edgar's case, the surviving leadership chose him and at least one ecclesiastical institution sought royal confirmation from him. These actions support a real, though incomplete, kingship. The formulation uncrowned king is therefore defensible if carefully explained. It should not

imply that Edgar's position was equivalent in security to that of a consecrated ruler. The title king-elect is sometimes used, but it may understate the authority exercised after selection. Edgar was constituted king but is not known to have been crowned, anointed or enthroned.

Edgar II as an interpretative designation

The regnal number Edgar II requires explicit explanation because it is central to the book's title. England had previously been ruled by Edgar the Peaceful, conventionally numbered Edgar I. If Edgar Ætheling is recognised as a king after Hastings, Edgar II becomes a logical retrospective numbering.[12]

The designation is not claimed as a securely documented contemporary style. Eleventh-century kings did not use regnal numbers in the modern systematic manner. Numbering developed later as a method of distinguishing rulers with the same name. The question is therefore historiographical, not one of whether Edgar signed documents Edgar II.

Modern regnal lists usually proceed from Harold II to William I, omitting Edgar because his kingship was brief, unconsecrated and unsuccessful. Such lists reflect the enduring possession of the Crown rather than every constitutional transition during the crisis.
The use of Edgar II challenges that omission but must not conceal the unusual nature of his position. It signals the book's conclusion that Edgar's kingship was more than a candidacy. It does not claim that his reign was fully established across England or recognised permanently by later governments. The numeral is therefore interpretative shorthand for an argued historical position.

Objection: he was never crowned

The most common objection can be stated simply: a man who was not crowned was not king. This proposition is too absolute. Coronation was central to legitimacy, but political recognition and accession could precede the ceremony. A ruler might exercise authority during the interval. The objection also fails to account for the positive source language and the Brand confirmation.

A more defensible objection is that Edgar's kingship was incomplete and too weakly consolidated to warrant inclusion among ordinary reigning monarchs. That formulation recognises the evidence while explaining the conventional omission. Edgar's position was indeed incomplete, brief and defeated. Incompleteness does not remove kingship altogether.

Objection: election was only a plan

A second objection argues that the English intended to make Edgar king but surrendered before implementing the decision. The Carmen's possible future or consecratory language may support an intended ceremonial completion. Yet William of Poitiers states that the English had established Edgar, London was said to have a king, and Peterborough sought confirmation from him. These facts show implementation at the level of recognition and authority. The plan to crown or consecrate may have remained incomplete. The kingship itself had begun.

Objection: Brand's confirmation was invalid

A third objection accepts that Edgar purported to confirm Brand but treats the act as invalid because William ultimately became king. Subsequent defeat does not determine whether authority was recognised when the act occurred. William's government could deny or overturn Edgar's act after conquest. That does not prove Peterborough regarded Edgar as powerless beforehand.

Indeed, the conflict over validity is evidence of overlapping authority. Historical analysis does not permit one ruler's retrospective legal theory to erase the other. The relevant question is how institutions acted during the disputed transition.

Objection: Norman sources exaggerated Edgar to magnify William

It may be argued that Norman writers described Edgar as king to make William's victory appear greater. Conquerors sometimes magnify defeated opponents, and that possibility remains relevant. It does not account fully for the English Peterborough evidence. Nor would exaggeration necessarily mean fabrication. William's triumph was indeed enhanced by the submission of a recognised English king.
The best response is source comparison rather than assumption. Where Norman and English evidence converge upon recognition and authority, the conclusion is stronger than either tradition alone.[13]

The constitutional sequence

The events can now be stated in a cautious sequence:

1. Edgar was a recognised Ætheling before Hastings.
2. Harold II died on 14 October 1066.
3. The surviving English leadership selected Edgar.
4. Edgar was established or constituted as King of the English.
5. London was represented as possessing a king.
6. Peterborough sought and received his confirmation of Brand.
7. William isolated London and negotiated with the English leaders.
8. Edgar and the leading men submitted.[14]
9. Edgar relinquished the operative kingship.
10. William was crowned on 25 December.

Each proposition is supported at a different level of detail. Together they form a coherent constitutional transition.

Why the kingship matters to the settlement

Recognition of Edgar's kingship changes the scale of the political settlement. A victorious William could not simply leave Edgar unprovided and politically independent. Edgar had demonstrated that the English could unite around him when the reigning adult leadership was destroyed.

If treated harshly, he might become the focus of renewed resistance, an ally of Scotland, a claimant supported by continental enemies, or a symbol through whom dispossessed English magnates could legitimise rebellion. If accommodated honourably, he could be transformed from rival king into subordinate earl.

This is the bridge between kingship and probable comital creation. Professor Licence's reasoning depends directly upon it. William was negotiating with another king whose support and title required an inducement proportionate to the problem. William of Poitiers's statement that Edgar received substantial lands becomes more meaningful when read against Edgar's established royal position.

The comital conclusion is not proved by kingship alone. Kingship explains why an earldom was a historically appropriate settlement.

The difference between historical and legal recognition

To conclude that Edgar was constituted king is a historical judgement. It does not require a modern court, government or royal institution to issue a retrospective declaration. Nor does it determine the legal consequences of acts performed during the brief regime.

The most probable historical sequence can be established from the surviving evidence, while official regnal recognition belongs to a different constitutional sphere. This distinction parallels the later treatment of the earldom. Historical probability can support a conclusion about creation without automatically establishing modern legal survival or entitlement.

The analytical method is consistent: establish what probably happened; identify what cannot be proved; and avoid converting historical reconstruction into an unissued official determination.

Evidential finding

The evidence supports the following graduated findings.

Established or strongly supported

- The English leadership selected Edgar after Hastings.
- William of Poitiers understood the English to have established him as king.
- London was represented as having a king.
- Peterborough treated Edgar as capable of royal confirmation.
- Edgar's kingship ended through submission before William's coronation.

Probable

- Edgar's regime operated from London under the guidance of leading ecclesiastical and secular figures.
- His kingship lasted from October or November until the December submission.
- A coronation or consecration was intended.

Unresolved

- Whether a completed coronation, anointing or enthronement occurred.
- The exact date and assembly of his election.
- The full territorial extent of obedience to him.
- The details of any royal council or administrative apparatus.

The historical formulation rests upon the strongest common ground rather than upon the unresolved ceremonial issue.

Chapter conclusion

Edgar Ætheling was constituted King of the English after the death of Harold II.
The surviving English leadership selected him because he was the recognised male representative of the royal house. The Carmen identifies him as elected and announces that London had a king. William of Poitiers states that the English established King Edgar. Peterborough sought his royal confirmation of Brand as abbot, providing the clearest surviving act of government under his authority.

No secure independent evidence proves that Edgar completed a coronation, anointing or enthronement. The Carmen contains language capable of supporting consecration or an intended consecration, and Professor Licence interprets it strongly. The wider record does not permit the ceremony to be asserted without qualification.
The resulting kingship was real but incomplete.

Edgar received political recognition and exercised royal authority. He did not secure the military, territorial and ceremonial consolidation necessary to preserve the Crown. William's encirclement of London and the disintegration of English resistance forced Edgar and the leading men to submit before the end of December.

William's coronation did not reveal that Edgar had never been king. It superseded a defeated English kingship.

That distinction is central to the settlement that followed. William had not merely displaced an heir. He had obtained the submission of a constituted king whose blood and recent authority remained capable of attracting resistance.

The appropriate political response required more than mercy.
It required incorporation, honour and substantial recompense.[15]

Chapter 4 endnotes

[1] D. N. Dumville, 'The Ætheling: A Study in Anglo-Saxon Constitutional History', for the distinction between royal-princely eligibility and completed kingship.

[2] Professor Tom Licence, Letter of Expert Opinion, 12 September 2024, for the conclusion that the English established Edgar upon the throne in October or November 1066 and for his strong reading of the Carmen as indicating election and coronation or consecration.

[3] The possible textual dependence of William of Poitiers upon the Carmen prevents the two accounts from being treated automatically as wholly independent confirmations. Dependence reduces numerical independence but does not remove William of Poitiers's interpretative evidence.

[4] Carmen de Hastingae Proelio, relevant passage describing Edgar as electus, the expression in regem sacrent, and the announcement that London had a king. The passage is used here with caution because its grammar, translation, authorship and relationship to other narratives remain debated.

[5] William of Poitiers, Gesta Guillelmi, p. 147 in the Davis and Chibnall edition, as cited by Professor Licence, for regem statuerant and the statement that the English had established King Edgar.

[6] Anglo-Saxon Chronicle, E-text, annal for 1066, for the election of Brand and his journey to Edgar for royal confirmation.

[7] Peterborough institutional history and the succession from Abbot Leofric to Brand establish the chronology and importance of the abbacy and explain why the community required royal confirmation.

[8] The surviving record of William's response to Brand's confirmation must be expressed cautiously. The episode supports the existence of competing authority, while the exact penalty, confiscation or other consequence depends upon the precise source wording.[9] The absence of a surviving Edgar charter or developed chancery is negative evidence of the regime's brevity and limited administration, but it does not establish that every act of a short emergency kingship would necessarily have survived.

[10] David Bates, William the Conqueror, for William's post-Hastings strategy, the isolation of London and the submission of the English leadership.

[11] Frank Barlow, Edward the Confessor, and modern scholarship on late Anglo-Saxon succession, for the interaction of hereditary expectation, political recognition and consecration.

[12] The designation Edgar II is retrospective and interpretative. No contemporary use of the numeral is claimed, and the designation does not imply that every modern constitutional authority has accepted Edgar within the ordinary regnal list.

[13] Nicholas Hooper, 'Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader', Anglo-Saxon England, vol. 14 (1985), pp. 197-214, for Edgar's elevation and the limitations of the surviving biographical record.

[14] The roles of Ealdred, Stigand, Edwin, Morcar and the London leadership require individual source control. The secure conclusion is collective political support and submission; the exact action and attendance of each figure must not be enlarged beyond the record.

[15] The governing finding is that Edgar was constituted King of the English and participated in government through at least one surviving recorded exercise of royal authority: the confirmation of Brand as abbot of Peterborough.

CHAPTER 5
Negotiation and Submission

Edgar Ætheling's kingship did not end through a second Battle of Hastings. It ended through negotiation. That distinction is central to the settlement reached between William of Normandy and the surviving English leadership. William had defeated Harold II and broken the principal English field army, but he had not yet secured London, obtained the submission of the leading bishops and earls, or displaced the king whom the English had constituted after Hastings.

No written treaty survives. The exact promises made by William, the conditions accepted by Edgar and the obligations assumed by the bishops, earls and citizens must therefore be reconstructed from the military sequence, the language of the chroniclers, William's subsequent treatment of Edgar and the political logic of the settlement.

The result was not the unconditional personal surrender of an isolated boy. It was a negotiated transfer of operative royal authority by a defeated English regime. Edgar relinquished the kingship placed upon him; William accepted his submission, preserved his dignity, granted him substantial lands and incorporated him into the new order.

William after Hastings

Victory on 14 October 1066 gave William military supremacy but not immediate possession of the kingdom. London remained outside his control, the senior churchmen had not yet recognised him, and Edgar's kingship supplied the resistance with constitutional form.

William's movement after Hastings demonstrates that he understood the difference between winning a battle and obtaining a crown. He secured strategic areas, moved around London's defenses and applied pressure to the capital from several directions. A destructive winter siege would have been costly and politically damaging. William intended to rule England, not merely occupy the ruins of its principal city.[1]
The battle removed Harold. Negotiation removed Edgar.

The route to submission

After securing the coast, William moved through Kent and approached London from the south. Resistance at Southwark prevented a direct crossing. He then turned west, obtained control of Thames crossings and isolated the city. Wallingford and Berkhamsted became the principal places associated with the sequence of submission.[2]

The negotiations probably developed over several encounters rather than one modern treaty conference. Edgar, Archbishop Ealdred, Earls Edwin and Morcar, and representatives of London formed the secure collective core. Stigand's submission may have occurred separately at Wallingford.

The presence of wider members of Edgar's family or of the reconstructed Ealdred-Siward kinship network is possible but unproved. Contextual plausibility cannot be converted into documented attendance.

Submission, surrender and relinquishment

No single modern word captures the whole event. Submission emphasises acknowledgement of William's superiority. Surrender emphasises military pressure. Abdication implies a formal procedure or instrument that is not preserved. The most accurate formulation is that Edgar submitted and relinquished operative royal authority.[3]

The settlement ended Edgar's immediate kingship. It did not erase his royal birth or abolish the designation Ætheling. His dynastic identity survived while his capacity to act as king was subordinated to William's regime.

Ealdred and constitutional continuity

Archbishop Ealdred linked the English regime to William's coronation. He had participated in the earlier effort connected with Edward the Exile's return, supported Edgar after Hastings, submitted with the English leadership and then consecrated William at Westminster.

These acts belonged to successive stages of the crisis rather than contradictory loyalties. Ealdred first supported the lawful English continuation available after Harold's death. When military resistance collapsed, he helped translate conquest into consecrated government.

Heritage 1066 reconstructs Ealdred as the brother of Siward, Bishop of Rochester, following the family grouping associated with Ann Williams. That relationship remains an attributed genealogical reconstruction and is not required to establish Edgar's kingship or Ealdred's public role.[4]

Berkhamsted as constitutional turning point

Berkhamsted occupies an important place in the narrative even though the exact details remain uncertain. Hastings destroyed Harold's regime. Berkhamsted ended Edgar's. Westminster consecrated William's. These three events form the constitutional sequence of the conquest.

The battle is the most dramatic, and the coronation is the most ceremonially visible. The negotiation between them is the least documented but politically indispensable. Without Edgar's submission, William would have entered Westminster while a recognised English king remained in resistance. Without the submission of Ealdred and the magnates, the coronation would have lacked the same English institutional participation.

Berkhamsted therefore represents the point at which conquest became capable of being translated into succession.

The Heritage 1066 reconstruction and the submission

The Heritage 1066 research programme places the settlement within a wider network of Wessex, Godwin and Gest-Guest relationships. Its Ealdred biography identifies him, following Ann Williams's reconstruction, as brother of Siward, Bishop of Rochester. The Siward biography extends the proposed family through Sigeraed and Saeric and connects it with Domesday continuity.

This framework may help explain why ecclesiastical and landed families could survive the political transfer. Kinship, office and institutional service created channels through which submission and continuity were negotiated. It does not prove that every reconstructed family member attended the submission.

Three distinct evidential categories are therefore necessary:

1. Secure historical participation: Edgar, Ealdred, Edwin, Morcar and London's leadership in the submission.
2. Attributed scholarly reconstruction: Ealdred as brother of Siward under the Heritage 1066 adoption of the Ann Williams family grouping.
3. Unproved attendance or cabinet reconstruction: the physical presence at Berkhamsted of Siward, Sigeraed, Saeric or the wider proposed family party.

The reconstruction is valuable when presented honestly. It becomes vulnerable only if contextual kinship is converted into invented eyewitness participation.

The missing treaty and substantial lands

No charter or capitulation records the settlement clause by clause. It cannot be asserted that William promised a particular earldom, a fixed estate list, a pension, or formal protections for every member of Edgar's family. Nor can a written abdication be assumed.

One material consequence is nevertheless preserved. William of Poitiers states that William enriched Edgar with *substantial lands*. In an eleventh-century political settlement, land represented income, household support, military obligation, jurisdiction, status and dependence upon the grantor. The provision was therefore both reward and control. Edgar was treated neither as a reigning equal nor as an ordinary defeated subject.[5]

The offer to Harold

The Carmen records that William had offered Harold the lands formerly held by Earl Godwin if Harold would renounce the Crown. The offer shows that comital status could be conceived as appropriate recompense for relinquished kingship.

Harold's circumstances were not identical to Edgar's, but the analogy is strong. Edgar's royal title and political support required an inducement proportionate to the authority he surrendered. This comparison supplies the foundation for the probable comital settlement examined in the next chapter.

The Crown and Edgar's future

William's settlement did not extinguish Edgar's symbolic power. The new king needed to keep him close, reward him sufficiently and prevent foreign alliances. Edgar's later departure, rebellions and association with Scotland show that the settlement was not irreversible.

Yet the willingness of William to receive and reconcile with him repeatedly suggests that the original relationship retained force. Edgar was treated as a prince who could be restored to favour, not merely as an outlaw beyond mercy. This pattern supports the conclusion that his submission had established a recognised place within William's order. The precise rank attached to that place was probably comital.

Evidential findings

The evidence supports a graduated reconstruction.

Established or strongly supported

- William did not obtain the English Crown immediately through victory at Hastings.
- Edgar and the surviving English leadership continued resistance from London.
- William applied strategic pressure and entered negotiations.
- Edgar, Ealdred, Edwin, Morcar and leading English representatives submitted.
- Edgar relinquished operative kingship.
- William was crowned at Westminster on 25 December 1066.
- William enriched Edgar with substantial lands.

Probable

- William's landed provision formed part of the inducement for Edgar's submission.
- Edgar recognised William's title and entered a relationship of allegiance.
- William intended to preserve Edgar's dignity while neutralising his political threat.
- The settlement was implemented across late 1066 and early 1067 rather than in one instantaneous act.

Possible but unproved

- A written treaty once existed.
- A specific earldom was named at Berkhamsted.
- Harold's earlier alleged grant was expressly confirmed during the negotiation.
- Particular family protections or estate trusts formed recorded terms.
- Every person later associated with the Heritage 1066 family reconstruction attended the submission.

Chapter conclusion

Edgar's kingship ended by negotiated submission under overwhelming military pressure. William's victory at Hastings had not automatically made him King of England. The surviving English leadership established Edgar, London resisted and a major monastery acted through Edgar's royal authority. William therefore faced not an empty throne but a defeated yet operative English regime.

He chose to isolate London and negotiate rather than depend solely upon a winter siege.
The negotiations succeeded. Edgar relinquished the operative kingship, the leading bishops and magnates submitted, and William gained the recognition necessary to proceed to Westminster. No treaty survives, and the exact promises cannot be reconstructed clause by clause.

One term, however, is preserved in substance: William enriched Edgar with substantial lands. That grant must be interpreted in the context of the authority Edgar surrendered. William had earlier been represented as offering Harold the lands of the Earldom of Wessex in return for renunciation. Professor Licence therefore concludes that an earldom was the minimum plausible recompense for Edgar’s submission.

Chapter 5 does not decide which earldom Edgar received. It establishes the political bargain from which probable comital creation arose. Edgar did not leave Berkhamsted as king. Neither did he leave as an ordinary defeated subject. He entered William’s order as a royal prince whose dignity, property and continuing danger required a settlement proportionate to the Crown he had relinquished.

Chapter 5 Notes

[1] Carmen de Hastingae Proelio, for William's post-Hastings campaign, the movement towards London, negotiation and the reported offer to Harold of the lands formerly held by Earl Godwin in return for renunciation of the Crown.

[2] Anglo-Saxon Chronicle, D and E traditions, together with related narrative sources, for William's route, the pressure upon London and the submission of the English leadership.

[3] Orderic Vitalis, Historia ecclesiastica, for later language of relinquishment or resignation. No surviving instrument permits the event to be described as a formal abdication in the modern documentary sense.

[4] Ann Williams, The English and the Norman Conquest (1995), p. 81, and the Heritage 1066 biographies of Ealdred and Siward, for the attributed sibling reconstruction. That genealogical reconstruction is not required to establish Ealdred's public role or the constitutional sequence.

[5] William of Poitiers, Gesta Guillelmi, for Edgar's submission and the statement that William enriched him with amplis terris, substantial or honourable lands.

This page is intentionally left blank.

CHAPTER 6
Compensation and Probable Comital Creation

The settlement reached between William of Normandy and Edgar Ætheling required more than Edgar's submission. It required a political form capable of preserving the dignity of a defeated king while subordinating him to the new monarch.

The evidence does not preserve a charter of creation. No surviving instrument states in a single formula that William made Edgar an earl, identifies the territorial title, defines the limitation of the dignity or lists the estates attached to it. The absence of such an instrument prevents categorical certainty. It does not end the inquiry.

The historical question is whether the surviving evidence, considered cumulatively and in context, makes comital creation or confirmation more probable than the alternatives. The conclusion of this book is that it does.

On the balance of probabilities, William I created or confirmed Edgar as an earl in late 1066 or early 1067. That conclusion rests upon the character of the political settlement, the magnitude of the royal position Edgar surrendered, the near-contemporary statement that William enriched him with substantial lands, the use of comital language for Edgar in medieval tradition, the reported offer of an earldom to Harold before Hastings, the political practices of accommodation employed by William, and the independent expert assessment of Professor Tom Licence.

The territorial identification of the dignity remains a separate question. Oxford is the leading proposition, but Chapter 6 establishes first the more general conclusion that Edgar probably entered William's order at comital rank.

The scale of the settlement

A settlement should be measured against the problem it was intended to solve. Edgar was not an ordinary English landholder seeking pardon after rebellion. He had been constituted King of the English by the surviving political leadership. London had recognised his kingship, Peterborough had acted under his authority, and senior bishops and earls had supported him. His submission removed the principal surviving English royal alternative to William.

The recompense required to secure that submission therefore had to be proportionate to the political value of the act. A modest pension or a few scattered estates might support Edgar personally. Such provision would not adequately translate a defeated king into an honourable subordinate within the aristocratic hierarchy.

Comital rank offered a more suitable mechanism. An earl stood immediately below the king among the secular elite. The office or dignity carried status, resources, military expectations and regional prominence without preserving sovereignty.

Amplis terris

William of Poitiers states that William enriched Edgar with *amplis terris*. The phrase denotes a substantial or honourable landed endowment. It does not expressly name an earldom, but its meaning cannot be separated from the political circumstances in which the grant was made.[1] Great landholding did not automatically create comital rank. The strength of the inference lies in the combination of Edgar's kingship, negotiated submission, William's need to neutralise him and the scale of the landed provision.

The offer to Harold

The Carmen records that William had offered Harold the lands formerly held by Earl Godwin if Harold would renounce the Crown. The offer demonstrates that an earldom could be conceived as appropriate recompense for relinquished kingship. Harold's circumstances were not identical to Edgar's, but the analogy is strong because William again faced a rival royal title whose abandonment required a proportionate inducement.[2]

Creation or confirmation

The paired formulation created or confirmed preserves the unresolved possibility that Harold II had already granted Edgar comital rank. A later tradition states that Harold gave him the Earldom of Oxford and William confirmed it. No contemporary instrument presently proves the Haroldian stage.

If Harold had made the grant, William confirmed or restored it. If Harold had not, William created the dignity as part of the post-Hastings settlement. Both routes place Edgar within the comital order under William by late 1066 or early 1067.

Creation before letters patent

An eleventh-century earldom cannot be judged solely by the later expectation of letters patent. Early dignities could arise through royal appointment, investiture, public recognition and delivery of lands. Office, honour, estate and personal dignity were often intertwined.[3]

The absence of a patent therefore does not prove that no dignity existed. It does increase uncertainty concerning the date, territorial designation, estate composition and hereditary limitation.

Rank, land and title

The evidence must remain graded. Substantial lands are directly supported. Comital rank is probable. Oxford is a separate territorial identification requiring independent proof.
This distinction avoids circular reasoning. Political appropriateness cannot by itself prove Oxford, and the later Oxford tradition cannot by itself prove the original political settlement. The two strands must be tested separately before their convergence is weighed.

Medieval comital terminology

Medieval references styling Edgar comes add weight to the general question of rank but must be assessed individually against their manuscript and source context. A comital description may preserve knowledge of status, reflect later interpretation or arise from the flexibility with which Latin titles were applied. It cannot be treated mechanically as proof of a specific territorial earldom. [4]

Professor Licence's assessment

Professor Tom Licence concluded independently that, on the balance of probabilities, William made Edgar an earl. His reasoning combines Edgar's kingship, William's need for his submission, the reported offer to Harold, the substantial landed grant and medieval descriptions of Edgar in comital terms.[5]

The opinion is historical analysis rather than a Crown determination. Its value lies in demonstrating that the comital conclusion does not depend upon accepting the later Oxford title tradition or the Heritage 1066 genealogy.

Alternative explanations

The substantial grant might be explained as a large but non-comital estate provision, a royal pension translated into land, the restoration of family property, or the temporary maintenance of a prince without a formal dignity. Each possibility deserves consideration because substantial land and comital rank were not identical.

The difficulty is cumulative. A non-comital explanation must account not only for the land but for the authority Edgar surrendered, the need to place a defeated king honourably within the new hierarchy, the analogy with the offer to Harold, the later comital terminology and the expert conclusion that an earldom was the minimum plausible settlement. Considered together, those factors make comital creation or confirmation more probable than a merely private grant.

Evidential finding

The evidence supports a graded conclusion.

Established or strongly supported

- Edgar relinquished operative kingship and entered William's political order.
- William enriched Edgar with substantial lands.
- No surviving charter names a specific earldom, limitation or estate schedule.
- The Oxford attribution requires proof separate from the general question of comital rank.

Probable

- The landed provision was intended to preserve Edgar's dignity while neutralising his political threat.
- William created or confirmed Edgar as an earl in late 1066 or early 1067.
- The settlement was implemented through the political practices of appointment, recognition and land rather than later-form letters patent.

Unresolved

- Whether Harold II had already granted Edgar comital rank.
- The exact date and ceremony of creation or confirmation.
- The territorial designation and estate composition.
- The hereditary limitation, survival and modern direction of the alleged dignity.

Chapter conclusion

No surviving charter names Edgar's earldom. The surrounding evidence nevertheless crosses the threshold of probability. William needed to transform a defeated king into an honourable subordinate, and the substantial landed provision supplied the material basis for that transformation.

On the balance of probabilities, William I created or confirmed Edgar Ætheling as an earl in late 1066 or early 1067 as part of the settlement by which Edgar relinquished operative kingship and entered the Anglo-Norman political order.

This finding does not establish the precise limitation, survival or present holder of the dignity. It establishes the antecedent proposition: Edgar probably received comital rank.

Chapter 6 endnotes

[1] William of Poitiers, Gesta Guillelmi, for amplis terris and the substantial landed provision made to Edgar after his submission.
[2] Carmen de Hastingae Proelio, for the reported pre-Hastings offer to Harold of the lands formerly held by Earl Godwin, demonstrating that comital recompense could be conceived as an inducement for relinquished kingship.
[3] Scholarship on early earldom creation and pre-patent investiture is relevant because eleventh-century dignities could arise through royal appointment, investiture, public recognition and delivery of lands rather than through later-form letters patent.
[4] Medieval references styled by Edgar must be assessed individually against their manuscript and source context. They support inquiries into comital rank but do not, by themselves, identify Oxford or define the limitations of the dignity.
[5] Professor Tom Licence, Letter of Expert Opinion, 12 September 2024, for the independent conclusion that, on the balance of probabilities, William made Edgar an earl at the end of 1066 or early in 1067.

PART III — WHICH EARLDOM?

This page is intentionally left blank.

CHAPTER 7
Oxfordshire and the Wessex Geography

This chapter is brief nevertheless important. The conclusion that Edgar probably received comital rank does not identify the territory attached to that dignity. Oxford must be approached as a separate historical proposition. No contemporary instrument states that Harold II or William I created Edgar Earl of Oxford. The case emerges from geography, royal association, political suitability, post-Conquest landholding and a later antiquarian tradition.

Oxfordshire was a credible and politically coherent territorial basis for the comital dignity probably created or confirmed for Edgar. It stood at a strategic intersection between London, the Thames valley, the Midlands and the western approaches; it belonged to the wider geography of Wessex kingship; and members of Edgar's immediate family were materially connected with the shire.[1]

Oxford as a royal and strategic centre

By the eleventh century Oxford was an established burh, a centre of trade and minting, and a strategic point near the confluence of the Thames and Cherwell. Its roads and river crossings linked London, Wallingford, Winchester, Gloucester, Worcester and the central Midlands. The town was important enough to sustain rank but not so vast that it recreated the power of Wessex or Mercia. For William, an Oxford-centred settlement could honour Edgar while keeping him within reach of royal supervision.

The wider Wessex landscape

Oxfordshire formed part of the expanded royal geography of the Wessex monarchy. Wantage carried Alfredian memory; Islip was associated with Edward the Confessor; Headington belonged to the royal estate structure; and Oxford's mint integrated the town into royal administration.

These associations supplied dynastic resonance, not hereditary title. They explain why Oxfordshire could have been politically meaningful without transforming every royal estate into Edgar's private inheritance.

Castle, office and title

Oxford Castle and Robert d'Oilly's later prominence confirm the strategic value of the region but complicate the title tradition. Castle-holding, local administration, estate ownership and comital dignity were not identical.[3]

Edgar's probable dignity may have been brief and interrupted by rebellion before d'Oilly's local authority became dominant. That possibility explains a weak documentary footprint but cannot itself prove the original grant.

Christina and Broadwell

Christina, Edgar's sister, held land at Broadwell in Oxfordshire after the Conquest. The holding establishes a material connection between the immediate Wessex family and the shire.[2]
It does not demonstrate that Christina held Broadwell in trust for Edgar or that the estate formed part of his earldom. The material connection is secure; the legal mechanism remains unknown.

Amersham and the reconstructed network

Amersham in neighbouring Buckinghamshire belonged to the wider Thames and Chiltern landscape of royal and ecclesiastical interests. The Heritage 1066 Siward IGF biography associates Siward, Bishop of Rochester, with Amersham and Queen Edith's overlordship.[4] This material illustrates a regional network but does not place Siward at Edgar's submission or include Amersham within an Oxford earldom. The attributed Ealdred-Siward sibling reconstruction remains contextual rather than title-specific proof.

Margaret's descendants and the de Vere intersection

A later dynastic convergence linked Margaret of Scotland's descendants with the de Vere Earldom of Oxford. Empress Matilda stood at the centre of Aubrey de Vere III's elevation, while Matilda of Boulogne died at Hedingham Castle, the de Vere stronghold.[5]

This convergence does not establish legal continuity from Edgar. It demonstrates that Wessex royal memory and the later Oxford title intersected within the same twelfth-century political world.

Chapter conclusion

Oxford was not an arbitrary name attached to Edgar by later imagination. It belonged to the political landscape in which his settlement could credibly have been made. The town was a fortified burh, minting centre and strategic crossing; the shire linked London, the Midlands and the west; and Edgar's family possessed a documented material connection through Christina. These circumstances establish plausibility, not title. No royal estate, coin, castle or family holding can replace a source naming Edgar in connection with Oxford. Geography makes Oxford a serious candidate; the antiquarian tradition must establish the territorial identification.

Chapter 7 endnotes

[1] Archaeological and county-historical authorities for Oxford's burh, mint and royal estates.

[2] Domesday evidence for Christina's holding at Broadwell.

[3] Authorities for Robert d'Oilly and Oxford Castle.

[4] Heritage 1066 Siward and Ealdred IGF biographies, used expressly as attributed project-reconstruction sources rather than independent title deeds.

[5] Authorities for Aubrey de Vere III, Empress Matilda and Matilda of Boulogne.

This page is intentionally left blank.

CHAPTER 8
The Antiquarian Succession Tradition

The Oxford identification did not originate in modern petitioning or in David Hume's eighteenth-century history. Its recoverable roots lie earlier, within the work of heralds, genealogists, lawyers and antiquaries who attempted to arrange the honours of England into historical succession.

This evidence is several centuries later than Edgar's lifetime. It cannot possess the force of a contemporary charter, but early-modern antiquaries sometimes worked from manuscripts and institutional records that have since been dispersed or lost. Their testimony requires source analysis rather than automatic acceptance or dismissal.

Robert Glover

Robert Glover, Somerset Herald, stands near the beginning of the recoverable Oxford tradition. His work belonged to the professional culture of the College of Arms and to the Elizabethan effort to collect and reconcile England's medieval genealogical and title records.

The importance of Glover lies in the source stream associated with him. A directly verified autograph entry has not yet been established in the present apparatus, but later printed material appears to derive from his heraldic and genealogical research.[1]

Thomas Milles

Thomas Milles transmitted material associated with Glover into print in *The Catalogue of Honor* of 1610. The publication fixes a recoverable early terminus for Edgar's place within the Oxford succession.[2]

Milles cannot provide contemporary proof of an event more than five centuries earlier. His entry is nevertheless significant because it arose within specialised title literature and predates Hume by more than a century.

William Martyn

William Martyn's 1615 history included an appended succession of dukes and earls. His Oxford sequence also placed Edgar within the tradition and appears to have distinguished Edgar's comital dignity from Robert d'Oilly's local and castellany authority.[3]

Milles and Martyn cannot automatically be counted as independent witnesses. They may have drawn upon Glover or a common predecessor. Even as a connected source family, they demonstrate that the Oxford attribution belonged to learned early-modern title literature.

The medieval antecedent

The early-modern tradition may derive from medieval succession material, including lists associated with Knighton or later manuscript continuations. The decisive questions concern the earliest manuscript state, later additions and the relationship between Glover's research and any medieval catalogue.
A medieval antecedent would strengthen the case materially. An Elizabethan reconstruction would remain relevant but less authoritative. The present conclusion does not depend upon assuming the strongest possibility.

Hume and later transmission

David Hume gave the tradition wide circulation by stating that Harold conferred the Earldom of Oxford upon Edgar and William confirmed it. Hume was a major Scottish Enlightenment philosopher and historian who attended the University of Edinburgh but was not a professor there.[4]

Hume did not originate the attribution. His immediate source remains unresolved: he may have used Milles, Martyn, an intermediary or a common earlier authority. Later writers demonstrate persistence but cannot be counted as independent where they merely copied Hume.

Heraldic memory

The arms later attributed to Edgar - *Azure, a cross formy between four martlets or* - belong to retrospective heraldic representation. They do not prove eleventh-century hereditary armorial use.[5]

Their value is classificatory. Heraldic writers placed Edgar within a remembered royal and dignity tradition, regularising an earlier political world through the symbolic language of their own age.

Chapter conclusion

The Oxford attribution existed in specialised title literature by the early seventeenth century. The most probable recoverable stream runs from research associated with Glover into Milles's printed catalogue, with Martyn supplying parallel or connected testimony.

Hume transmitted or elaborated a tradition already more than a century old. Later repetition proves persistence rather than independence. The tradition is too late to prove the title unaided, but too early, specialised and coherent to be dismissed as modern invention.

Its force lies in convergence with the independent conclusions that Edgar probably became an earl and that Oxfordshire supplied a politically suitable territorial setting.

Chapter 8 Notes

[1] Robert Glover's surviving heraldic and genealogical manuscripts.

[2] Thomas Milles, The Catalogue of Honor (1610), exact Oxford entry.

[3] William Martyn, The History, and Lives, of Twentie Kings of England (1615), appended succession.

[4] David Hume, The History of England, exact edition and source pathway.

[5] The arms attributed to Edgar are identified explicitly as retrospective heraldic representation, not evidence of eleventh-century hereditary armorial use.

This page is intentionally left blank.

CHAPTER 9
Brooke's Omission

Ralph Brooke did not preserve Edgar at the head of his Oxford succession. The omission matters, but it does not by itself disprove the earlier tradition. It creates a problem of transmission, scope and definition.[1]

He is distinct, from other heralds and warrants inclusion in this book with his own brief but nevertheless important chapter when understanding documentary history of Edgar's life and legacy, albeit by omission.

It also providers readers natural place to pause. An omission may expose error, reflect different sources, arise from editorial compression or begin with the first securely traceable hereditary creation. Silence is not equivalent to an explicit statement that Edgar was never Earl of Oxford.

Ralph Brooke (1553–1625) was a highly contentious and ambitious English Officer of Arms who served as York Herald. Operating during the late Elizabethan and early Stuart eras, he is best known for his fierce professional feuds and his detailed critiques of genealogical and historical inaccuracies in the period's heraldic scholarship.

The Brooke-Camden Feud

The Grievance: Brooke's most famous rivalry was with the revered antiquarian and historian William Camden. When Camden was appointed Clarenceux King of Arms in 1597, Brooke was deeply offended. As the sitting York Herald with more seniority, Brooke felt he was bypassed for the prestigious promotion by an outsider who had no prior experience in the College of Arms.

The Publication: In retaliation, Brooke published A Discoverie of Certaine Errours Published in Print in the Much Commended 'Britannia' 1594. In this sharply sarcastic work, he attacked Camden's seminal book Britannia for genealogical errors, plagiarism, and a perceived misunderstanding of heraldic traditions.

The Resolution: Camden successfully defended himself and corrected the identified errors in subsequent, expanded editions of Britannia.

Conflict Over "Mean" Men

Brooke was a staunch defender of strict social hierarchy and privilege within the College of Arms. In 1602, he compiled a list of charges against Garter King of Arms William Dethick, as well as Camden. Brooke accused them of improperly granting coats of arms to twenty-three "mean" or unworthy men.

Most famously, this list included a dismissive note about "Shakespear ye Player" (playwright William Shakespeare's father, John), whose family Brooke believed did not meet the rigorous social or financial requirements for armorial bearings.

His Own Scholarship

Despite his controversial methods, Brooke was a meticulous researcher who compiled vast manuscript collections of family histories and coats of arms. In 1619, he published A catalogue and succession of the kings, princes, dukes, marquesses, earles, and viscounts of this realme of England. This ambitious work aimed to document the exact titles, lineages, and succession of the English nobility from the Norman Conquest to his own day.

Ralph Brooke and heraldic rivalry

Brooke, York Herald, worked within the intensely competitive heraldic culture of the late Elizabethan and early Stuart period. His disputes with William Camden and other antiquaries concerned access to records, genealogical accuracy, precedence and the authority to publish title histories.[2]

Professional rivalry supplies context, not proof of motive. Brooke may have rejected the Glover-Milles tradition, lacked its source, or defined the title more narrowly. No surviving explanation establishes deliberate suppression.

Competing definitions

A catalogue beginning with Aubrey de Vere may have intended to trace the later hereditary de Vere creation rather than every earlier comital office associated with Oxford. Edgar could be the earliest holder of a discontinued dignity while Aubrey remained the first of the secure de Vere line.[3]

The phrase first Earl of Oxford is therefore ambiguous. It may mean the earliest person ever associated with the title, the first de Vere earl, or the first holder within a particular legal succession.

Negative evidence

Brooke's omission is genuine negative evidence of moderate weight. It demonstrates that the early-modern tradition was not uniform and prevents any claim of heraldic unanimity.

Its force is limited because the scope of Brooke's list, his access to Glover's material and his reason for omission remain uncertain. An explicit refutation would have carried substantially greater weight.

d'Oilly, de Vere and continuity

Robert d'Oilly's local authority and Aubrey de Vere's later hereditary earldom could lead a conservative compiler to begin the title sequence after Edgar's brief or forfeited settlement. Durable hereditary continuity tends to overshadow irregular or short-lived antecedents.

Martyn's apparent distinction among Edgar, d'Oilly and the de Vere line suggests that some early-modern writers understood several different forms of authority at Oxford rather than merely confusing them.[4]

Chapter conclusion

Brooke's silence narrows the Oxford claim but does not destroy it. It shows that one important heraldic authority either rejected, did not know or did not include Edgar within the scope of his succession.

The positive Glover-Milles-Martyn stream must therefore be assessed on its own merits. Brooke's omission prevents certainty, but without an explicit refutation it does not outweigh the cumulative political, geographical and antiquarian evidence.

Chapter 9 endnotes

[1] Ralph Brooke's relevant catalogue and the exact definition and scope of its Oxford succession.
[2] Scholarship on the heraldic disputes surrounding Brooke, Camden and the Glover circle.
[3] Comparative examination of Brooke's treatment of other ancient, discontinued and later-recreated earldoms.
[4] Milles and Martyn exact entries for comparison with Brooke's omission.

This page is intentionally left blank.

CHAPTER 10
Oxford as the Leading Territorial Identification

The evidence does not permit a categorical declaration that Edgar Ætheling was Earl of Oxford. It does permit a comparative historical judgment. Edgar was probably created or confirmed as an earl; Oxfordshire was a politically coherent territory; and an early-modern title tradition placed him within the Oxford succession before Hume.[1]

Oxford therefore emerges as the strongest recoverable territorial identification of Edgar's probable dignity. The conclusion is interpretative and evidence-based rather than a finally adjudicated legal fact.

Oxford's prominence as a leading territorial stronghold date to the 10th century when it served as a strategic military frontier town between the Anglo-Saxon kingdoms of Mercia and Wessex.

The House of Wessex had deep ancestral ties to the location:

- Edward the Elder (911): The grandfather of the English nation, King Edward the Elder, formally took control of Oxford—along with London—in 911 following the death of Ealdorman Æthelred of Mercia. The Anglo-Saxon Chronicle first explicitly records Oxford (then Oxenaford) in this entry, establishing the city as a crucial royal possession.
- King Alfred the Great: Edward the Elder's father, King Alfred the Great, famously minted coins in Oxford and was instrumental in securing the borderlands bridging Wessex and Mercia. Later medieval traditions even falsely attributed Alfred as the founder of the University of Oxford to highlight his immense historical tie to the area.
- Edward the Confessor (1042–1066): Born in nearby Islip, Oxfordshire, King Edward the Confessor solidified the region as a primary center of royal life. He held councils in Oxford, and the city frequently served as a meeting place for the Witenagemot (the royal council of England), demonstrating its prestige as a leading territorial hub long before the Norman Conquest.

The evidential structure

The argument consists of propositions of differing strength. Edgar was constituted king. William negotiated for his submission and endowed him with substantial lands. Comital creation is more likely than not. Oxford is the leading but more qualified territorial identification.

Preserving these grades prevents one uncertain proposition from carrying the entire case. If Oxford were rejected, the general comital conclusion would not automatically fail. If comital rank is accepted, Oxford does not automatically follow.

Why Oxford leads

Oxford combines political geography, Wessex royal association, a documented family connection through Christina and a specialised antiquarian title tradition. No alternative presently unites those elements with comparable force.

Wessex may appear symbolically obvious but carried the political danger of recreating Harold's former regional base. A non-territorial dignity remains possible but does not explain the persistent Oxford succession tradition.

Source convergence

The Glover-Milles foundation and Martyn's supporting sequence supply the principal title-specific evidence. Brooke's omission lowers confidence and proves contestation. Hume and later writers preserve transmission but do not multiply independent proof where they depend upon the earlier stream.[2]
Medieval comital terminology and Domesday material support rank rather than territory. Christina's Broadwell holding supports family geography rather than title. Robert d'Oilly's authority requires distinction among castellany, estate, administration and comital dignity.[4]

The later transmission through Hume and subsequent writers proves persistence, but its weight depends upon source relationships rather than the number of repetitions.[3]

Alternative explanations

The Oxford title could be an early-modern invention, a geographical regularisation of a non-territorial comital rank, a confusion with d'Oilly, or an authentic memory of a short-lived dignity. The last explanation fits the cumulative evidence most closely, but the alternatives cannot be eliminated absolutely.[5]

Historical judgment depends upon comparative probability rather than elimination of every possible doubt. Oxford exceeds speculation but does not reach documentary certainty.

Chapter conclusion

No surviving instrument joins Edgar, comital rank and Oxford in one title formula. The evidence instead yields a graduated conclusion: Edgar was probably made an earl, and Oxford is the strongest recoverable territorial identification of that dignity.

The title Edgar II as Earl of Oxford expresses this leading historical conclusion. It does not prove hereditary limitation, survival, restoration, legal continuity with the de Vere creation or a present holder. Those questions require separate historical and constitutional analysis.

Chapter 10 endnotes

[1] Professor Tom Licence's expert opinion and William of Poitiers for the general comital case.

[2] Milles, Martyn and Brooke for the competing early-modern title traditions.

[3] Hume and later writers assessed for chronology and source dependence rather than counted as automatically independent witnesses.

[4] Domesday evidence relating to Edgar as comes and Christina at Broadwell, treated as support for rank and family geography rather than a complete Oxford title formula.

[5] Authorities for Robert d'Oilly and Aubrey de Vere III, preserving the distinction among castellany, estate, administration and comital dignity.

This page is intentionally left blank.

PART IV — EDGAR'S LATER CAREER

This page is intentionally left blank.

CHAPTER 11
Normandy, Rebellion and Scotland

Edgar Ætheling's submission did not remove him from public life. It placed him within a political settlement whose stability depended upon William I's ability to reconcile conquest with continuity. During the years that followed, Edgar moved repeatedly between the Norman court, the English resistance and the Scottish kingdom. His actions have often been described as evidence of indecision, weakness or habitual disloyalty. Such judgments underestimate the insecurity of the conquest and the peculiar position in which he had been placed.

Edgar remained the senior surviving male representative of the Wessex royal house. He had been constituted king, had relinquished operative royal authority and had probably entered William's order at comital rank. His honour depended upon the conqueror's settlement, but his blood made him a permanent alternative around whom opposition could gather.

William's difficulty was therefore not solved by Edgar's submission. It was managed. Edgar's difficulty was equally profound. Loyalty to William offered security, lands and rank beneath the new Crown. Opposition offered the possibility of defending English interests but exposed his family and supporters to confiscation, exile and death. Neither course could restore the world destroyed at Hastings.

The period from 1067 to the settlement of the early 1070s reveals Edgar not as an insignificant fugitive but as a political figure whose allegiance mattered to England, Normandy, Scotland and the remaining English resistance.

William's return to Normandy

In the spring of 1067 William returned to Normandy and took with him a distinguished company of English leaders, including Edgar, Edwin, Morcar and Waltheof. Their presence displayed submission and reduced the danger that they might organise resistance during William's absence.[1]
Edgar travelled neither as an anonymous captive nor as an equal sovereign. He was a defeated king, royal prince and probable earl whose inclusion combined honour with supervision. The distinction between guest and hostage remained deliberately indistinct.

The Norman court

The journey brought Edgar into the governing community of the Anglo-Norman monarchy. His later association with Robert Curthose makes early familiarity plausible, though no source describes a detailed youthful friendship.

Within William's dynastic court Edgar was both subordinate and royal. His presence could lend legitimacy to the new order while his blood continued to make him dangerous. This complexity helps explain William's recurring preference for reconciliation over destruction.

Return and departure for Scotland

Edgar appears to have returned to England within William's political orbit. The chronology of his movement to Scotland varies among Chronicle recensions, but a departure during 1068 fits the wider sequence better than an immediate flight in 1067.[2]

He travelled with Agatha, Margaret and Christina. Scotland offered refuge, royal protection, military possibility and a court capable of receiving the Wessex family at the highest level. Their movement transferred the surviving English royal house into another political sphere.

Malcolm III and Margaret

Malcolm III had strong reasons to receive the family. Edgar supplied a legitimate English alternative to William; Agatha embodied dynastic continuity; and Margaret offered an alliance of exceptional value.

Margaret's marriage to Malcolm transformed the meaning of the exile. Her children carried Wessex blood into the Scottish succession, and through Matilda of Scotland the line later returned to the English Crown under Henry I. Edgar became brother-in-law to the Scottish king and gained a powerful, though independent, ally.[3]

Northern resistance

Northern England remained insecure. The death of Robert de Comines at Durham, rebellion around York and Scandinavian intervention created the most serious threat to William's authority since Hastings.

Edgar's presence gave the resistance a royal focus. Men could rally around him not merely as a dispossessed noble but as the surviving king constituted after Hastings. No second coronation or formal re-election is recorded, yet his earlier kingship continued to shape the movement.[4]

York, the Danes and William's response

The arrival of a Danish fleet transformed the scale of the rising. York fell and Norman control briefly appeared reversible in the north. The alliance remained unstable because Danish leaders pursued their own interests and could be detached through negotiation or payment.

William responded with military force, castle-building and devastation. The Harrowing of the North destroyed crops, livestock and settlements on a scale condemned by Orderic Vitalis. Edgar did not command the repression and was not morally responsible for William's methods, but his status formed part of the political threat William intended to extinguish.[5]

Scotland, Abernethy and Flanders

After the defeat of the northern rising Edgar returned to Scotland. William's campaign of 1072 forced Malcolm into an agreement at Abernethy, reducing Scotland's ability to support Edgar openly.[6]

Edgar subsequently moved to Flanders. The move reflected the international character of royal exile. Flanders was connected to William through Queen Matilda but possessed its own interests and could shelter political exiles as instruments of diplomacy.

Rebellion and the probable dignity

Rebellion almost certainly interrupted Edgar's enjoyment of the lands and office associated with William's first settlement. No formal instrument of forfeiture survives.

The historical record therefore supports disruption or confiscation of active possession more securely than permanent extinction of an incorporeal hereditary dignity. The distinction between land, office and title becomes central to the later legal analysis.

Chapter conclusion

The years between Normandy and Scotland reveal the instability beneath William's first accommodation. Edgar was honoured and supervised in Normandy, then drawn into the alternative political world created by his family's Scottish refuge.

Margaret's marriage gave the Wessex line a permanent place in the Scottish dynasty. Edgar's association with northern and Scandinavian resistance briefly reopened the conquest, but William recovered York, devastated the region and forced Malcolm into accommodation.

Edgar emerged defeated and displaced, yet still politically relevant. He had lost the immediate possibility of restoration and probably the active enjoyment of his first settlement. He had not lost royal identity, international connections or the capacity to negotiate another reconciliation.

Chapter 11 endnotes

[1] Anglo-Saxon Chronicle, William of Malmesbury and Orderic Vitalis for William's 1067 Norman journey and Edgar's inclusion among the leading Englishmen.

[2] Chronicle recensions and modern chronology for Edgar's return and movement to Scotland, with a departure during 1068 preferred to an immediate flight in 1067.

[3] Authorities for Margaret's marriage to Malcolm III and the Scottish dynastic consequences.

[4] Anglo-Saxon Chronicle, John of Worcester and Orderic Vitalis for northern resistance, York and Danish intervention.

[5] Orderic Vitalis for the devastation known as the Harrowing of the North.

[6] Sources for William's 1072 Scottish campaign, the agreement at Abernethy and Edgar's subsequent movement to Flanders.

CHAPTER 12
Reconciliation and Flanders

Edgar Ætheling's departure for Flanders did not end his contest with William I[1]. It placed him within another network of rulers prepared to use his royal identity against the Anglo-Norman king[2]. By 1072 the first phase of organised English resistance had failed[3].

York had been recovered, northern England devastated, the Danish intervention neutralised and Malcolm III compelled to negotiate with William at Abernethy[4]. Scotland remained Edgar's principal dynastic refuge, but Malcolm could no longer support him openly without threatening the settlement he had just made[5].

Flanders offered temporary security beyond William's direct control[6]. Its ruler, Robert the Frisian, had become hostile to Norman interests[7] and possessed reasons to receive a displaced English prince. Edgar's presence there therefore continued the international dimension of the conquest. He remained valuable not because he commanded a kingdom or army of his own, but because his blood could be used to legitimise hostility toward William[8].

The sequence that followed was one of the most revealing episodes of Edgar's life. He returned to Scotland, received an offer of land and a castle from Philip I of France[9], attempted to sail to the Continent, was shipwrecked upon the English coast and escaped after losing many of his followers. Malcolm then persuaded him to abandon renewed opposition and reconcile with William.
The reconciliation of 1074 was not a simple act of surrender repeated eight years after Berkhamsted[10].

It was a second political settlement reached after Edgar had tested the alternatives available to him and William had demonstrated that no neighbouring ruler could sustain a successful restoration. Edgar entered William's peace again[11]. He appears thereafter to have possessed estates and honour sufficient to support an aristocratic household[12]. His royal identity survived, but its political expression changed. He ceased, for the time being, to act as the principal English claimant around whom rebellion could be organised[13].

Flanders after Abernethy

The agreement reached between William and Malcolm in 1072 altered Edgar's position in Scotland. The precise terms of the settlement are not preserved in a formal treaty[14]. The Anglo-Saxon Chronicle states that Malcolm became William's man and gave hostages. Later interpretation has often added Edgar's expulsion as an explicit clause[15], although the surviving wording does not record a complete list of conditions.

The political consequence is nevertheless clear. Malcolm's freedom to shelter and employ Edgar against William had been reduced. Continued open support would risk renewed invasion and expose Scotland to military pressure from the south. Edgar therefore moved to Flanders.

The choice was not accidental. Flanders occupied a strategic place between France, Normandy, the Empire and the North Sea[16]. Its ports and trading towns linked England with the Continent, while its rulers repeatedly influenced the balance of power among neighbouring principalities.

The political relationship between Flanders and Normandy had recently changed. Count Baldwin V, who died in 1067, had been William's father-in-law[17] and had acted as regent for the young King Philip I of France. His death and the subsequent Flemish succession crisis produced a different regime under Robert the Frisian[18].

Robert's interests did not require him to preserve Baldwin's close alignment with William. A hostile or independent Flanders offered a suitable refuge for Edgar. Nicholas Hooper concluded that the political changes after 1071 made the county particularly receptive to him[19].

Edgar could reside there beyond William's immediate reach while remaining close to England, Normandy and the French court. His presence also gave Robert a potential instrument of pressure.
A displaced English king could be maintained honourably at relatively modest cost while retaining considerable diplomatic value[20].

Robert the Frisian

Robert the Frisian had secured the county of Flanders through conflict following the death of his brother Baldwin VI. His victory at Cassel in 1071 established him against rivals supported by King Philip and connected with the Norman ducal family[21].

The circumstances made friendship with William uncertain. Robert had no reason to deliver Edgar automatically to the English king. Shelter for the Ætheling could signal independence from Norman influence and provide leverage in wider negotiations. No surviving narrative describes the relationship between Robert and Edgar in detail[22].

There is no secure evidence that the count promised military assistance, recognised Edgar as King of England or planned an invasion on his behalf[23]. Flanders was a refuge, not a restored royal court[24]. Edgar's reception there nevertheless demonstrates the continuing usefulness of his identity.

Even after defeat in England and the Scottish settlement, he remained worthy of protection by one of the most powerful princes of northern Europe. His position should not be confused with command. Edgar depended upon Robert's hospitality, just as he had depended upon Malcolm. His royal blood gave him entry; it did not give him control of Flemish policy[25].

A prince without a territorial base

The contrast between Edgar's status and his resources had become increasingly stark. He was the surviving senior male of the Wessex dynasty and had been constituted king in 1066. He could claim kinship with royal and aristocratic houses across Europe. His sister was Queen of Scots, and his cause retained emotional and constitutional significance among English exiles. Yet he possessed no secure territory from which to maintain permanent resistance.

The lands granted under William's first settlement had probably been confiscated or placed beyond Edgar's enjoyment after rebellion[26]. Scotland could shelter him but not restore him without risking invasion. Flanders could protect him but had no direct interest in financing an English conquest. Danish intervention had already proved unreliable.

The limitations of exile were therefore becoming clear. A prince might retain honour in several courts and still lack the means to convert honour into sovereignty[27]. Every foreign patron assessed Edgar according to his own interests. Support could be offered, withdrawn or exchanged as political conditions changed. Edgar's movements were not evidence that his claim had become meaningless. They revealed how difficult it was to sustain that claim without land, revenue and a disciplined military following.

Return to Scotland in 1074

The Anglo-Saxon Chronicle records that in 1074 Edgar came from Flanders into Scotland on the feast of Saint Grimbald[28]. Malcolm and Margaret received him with considerable honour[29]. The description is important. Edgar did not return secretly or as a disgraced fugitive[30]. He was received ceremonially by a king and queen who were also his brother-in-law and sister.

The welcome affirmed his continued place within the Scottish royal family even after Malcolm's agreement with William. The Chronicle's dating also fixes the principal sequence. Edgar's Flemish residence belonged to the period after Abernethy, and his return to Scotland preceded the French offer and shipwreck that led to reconciliation. Margaret's role in the reception should not be reduced to private family affection[31].

By 1074 she was Queen of Scots and mother of a developing royal dynasty. Edgar's honour at her court reinforced the status of the Wessex family within Scotland. Malcolm's position was more difficult. He could welcome his wife's brother while avoiding immediate renewal of open war with England.
The distinction between hospitality and military sponsorship allowed him to preserve both kinship and diplomacy.

The Chronicle preserves the public character of the welcome but does not record that Malcolm recommitted himself to Edgar's restoration[32].

Philip I of France

While Edgar was in Scotland, Philip I of France sent him an invitation[33]. The French king offered him the castle of Montreuil and associated lands[34], from which Edgar could harm William's interests[35]. The Chronicle's wording is unusually direct: Philip wished Edgar to occupy a position from which he might repeatedly trouble those who were not his friends. The proposal reveals the importance Edgar still possessed in continental politics. Philip had inherited the French Crown as a child and had grown within a political order in which the dukes of Normandy were among the most formidable territorial princes. William's conquest of England increased Norman power dramatically[36].

The duke was now a king with access to English wealth and military resources, while remaining Philip's vassal for Normandy. This imbalance threatened the French monarchy. Edgar provided Philip with a means of applying pressure along Normandy's frontier[37]. A castle and lands could support an exiled prince, attract followers and create a base for raids. The intention was not necessarily to launch an immediate invasion of England[38]. It was to make William defend his continental possessions while maintaining a rival whose royal identity could be activated if circumstances changed.

The offer also resembled William's own method of managing Edgar through land and honour. Philip proposed to give the Ætheling a territorial base, but one directed against Normandy rather than incorporated within the Anglo-Norman realm[39].

Montreuil and the Norman frontier

The location associated with Philip's offer is generally identified as Montreuil-sur-Mer[40]. Montreuil possessed strategic value near the Channel and the northern approaches to Normandy. From such a base Edgar could communicate with Flemish, French and English interests, receive exiles and threaten William's continental territories.

The proposal would have changed Edgar's condition materially. In Scotland and Flanders, he remained a guest dependent upon another ruler's household. At Montreuil he might possess a castle, estates and a recognisable military centre. That distinction was decisive. A territorial base could support retainers, provide revenue and transform Edgar from a portable dynastic claimant into a frontier lord[41] with the capacity to organise sustained hostility.

Philip's invitation therefore represented the most serious opportunity available to Edgar since the failure of the northern rebellion. It remained an offer made for French purposes[42]. Edgar would not become an independent king. He would become a royal exile maintained as a weapon against William. For a prince without land, however, such dependence could still offer more agency than residence at another court.

Edgar's decision to accept

Edgar accepted Philip's invitation and prepared to sail[43]. His decision has sometimes been treated as further evidence of restless disloyalty[44]. In reality, it followed the logic of his situation. The reconciliation of 1066 had not prevented confiscation or military occupation when Edgar later rebelled. The northern rising had failed, Scotland had been compelled to accommodate William, and Flanders offered protection without a durable command.

Philip's proposal supplied what Edgar lacked: a castle, land and an anti-Norman political purpose[45]. Acceptance did not necessarily mean that Edgar expected to recover the English Crown immediately[46]. It may have offered the means to preserve an independent household, maintain English followers and wait for a future change in circumstances. William's authority, though formidable, was not beyond challenge. His obligations in England and Normandy divided his attention.

Relations with France were unstable. His eldest son Robert Curthose would later rebel against him[47].
Edgar could not know in 1074 how those conflicts would develop, but he understood that possession of a frontier base would place him inside them. The decision was therefore politically rational, even though it ended disastrously.

The expedition

Edgar assembled followers and ships for the voyage[48]. The scale of the company is uncertain, but it was substantial enough for the Chronicle to record heavy losses when the expedition failed. His ability to gather men after years of defeat demonstrates that he still commanded loyalty[49].

These followers may have included English exiles, household retainers and adventurers attracted by Philip's offer[50]. They were prepared to cross the sea with Edgar and establish themselves in a frontier castle directed against William. Their participation reveals the social dimension of exile.

Edgar did not travel alone from court to court. His choices affected men who depended upon his prospects. A territorial grant in France could offer them employment, land and the possibility of renewed political action. The voyage therefore represented more than one prince's personal relocation. It was an attempt to transfer an exiled political community from Scottish protection to a French military base[51].

Shipwreck upon the English coast

The expedition was struck by severe weather[52]. Edgar's ships were driven onto the English coast[53], where the company suffered catastrophic losses. Some vessels were destroyed, many followers drowned or were killed, and survivors faced pursuit by Norman forces[54]. The irony was severe. Edgar had intended to cross to France and establish a base against William. Instead, the sea delivered him into William's kingdom in a condition of extreme vulnerability.

The Chronicle describes the survivors being attacked and hunted. Edgar escaped with a reduced company and made his way back toward Scotland[55].

The episode reflects the material dangers of medieval political movement. Dynastic plans depended upon ships, weather, navigational judgement and the ability to land safely. A storm could destroy a strategy constructed across several kingdoms. Edgar's escape also demonstrates qualities often absent from dismissive portrayals of him. He survived shipwreck, pursuit and an overland return through territory controlled by his enemy. This required endurance, assistance and probably concealment. The sources provide no detailed itinerary[56], but the physical achievement should not be underestimated. The disaster destroyed the French opportunity before Edgar could test it.

The loss of followers

The death and capture of Edgar's men altered more than the immediate expedition. A royal exile's political capacity rested heavily upon the continuity of his household. Followers carried military skill, intelligence, family connections and collective memory. Their loyalty helped transform royal blood into practical influence.

The shipwreck depleted that human base[57]. Edgar returned to Scotland not only without Montreuil but with fewer men capable of supporting another attempt. The personal and political cost must have been considerable. The surviving sources do not record his response or name those who died[58]. Their anonymity reflects the limitations of chronicles centred upon rulers.

Yet their loss helps explain why the disaster became a turning point. Philip's invitation had offered Edgar a route back into active opposition[59]. The wreck removed the ships, men and momentum required to follow it.

Malcolm's counsel

After Edgar returned to Scotland, Malcolm advised him to make peace with William[60]. The advice reflected both family concern and statecraft[61].
Malcolm had already experienced the military consequences of sheltering William's rival. His agreement at Abernethy had reduced immediate pressure upon Scotland, and he had no reason to reopen the conflict for a plan that had now failed. Edgar's prospects had also narrowed sharply. Flanders had provided only temporary refuge. The French opportunity had ended before he reached Montreuil.

Danish intervention was no longer available. Another Scottish-backed rebellion would invite renewed devastation without any clear prospect of success[62]. Margaret's influence is not described directly in the surviving account[63], but the reconciliation affected her brother, husband and adopted kingdom. She had reason to favour a settlement that preserved Edgar's life and status while protecting Scotland from another invasion. Malcolm's counsel therefore expressed the political judgement of a ruler who understood both Edgar's value and his limitations. Resistance had ceased to offer a credible path to restoration[64].

Negotiations with William

The precise method by which Edgar approached William is not recorded in detail[65]. Malcolm may have acted as intermediary[66]. Messengers likely carried terms between Scotland and the English king. Guarantees of safety would have been necessary before Edgar entered William's presence[67].

The essential point is that William agreed to receive him[68]. That willingness confirms that the king continued to regard reconciliation as preferable to permanent exclusion. William had strong military reasons to punish Edgar.

The Ætheling had joined rebellion, associated with Scandinavian intervention, accepted Scottish protection and attempted to take up a French base from which to attack Normandy[69]. Yet William also understood the risks of leaving Edgar abroad. An exiled prince could be used repeatedly by Scotland, France, Flanders or discontented Englishmen[70]. Reconciliation placed him within reach, bound him by renewed allegiance and deprived foreign rulers of a convenient claimant.

The arrangement served both men. Edgar gained safety, land and honour. William removed an international threat without creating a martyr[71].

The second reconciliation

The reconciliation of 1074 differed from the submission of late 1066[72]. At Berkhamsted, Edgar had relinquished operative kingship[73] while supported by the surviving English leadership. He entered William's order as a defeated royal rival and probably received substantial landed and comital accommodation. In 1074 he returned after rebellion, exile and failed foreign sponsorship[74].

The second settlement therefore addressed a different problem. William no longer needed Edgar's submission to obtain coronation. He needed to prevent the Ætheling from becoming a recurring instrument of hostile rulers.

Edgar, in turn, no longer possessed an English regime capable of negotiating collectively. He approached as an individual prince with a diminished following[75], though still protected by royal kinship and international importance. The resulting peace was therefore less constitutional than the first, but no less political[76]. Edgar abandoned active opposition. William restored him to a recognised place within the realm. PASE summarises the outcome by recording that king and Ætheling were reconciled in 1074 and that Edgar thereafter appears to have retired to estates provided by William[77].

Honour without sovereignty

Edgar's restored position embodied the central compromise of his post-Conquest life. He retained royal identity but not kingship[78]. He could maintain a household but not an independent regime[79]. He possessed honour under William but not equality with him.

This distinction explains why Edgar remained visible without becoming the centre of renewed rebellion during the following decade. William did not require him to cease being an Ætheling[80]. The designation derived from birth and could not be erased through administrative decree. What William required was that Edgar cease using that identity as the foundation of resistance.

The settlement converted dangerous dynastic potential into controlled aristocratic status[81]. Such accommodation was not unique to Edgar, but his royal birth made it unusually consequential.

Edgar's estates

The sources do not provide a complete schedule of the estates available to Edgar after reconciliation[82]. PASE's reconstruction indicates that he withdrew to lands supplied by William. The precise relationship between these estates and the substantial lands granted after 1066 remains unresolved. They may represent restoration of part of the earlier provision, a new grant or confirmation of property that had not been extinguished completely[83].

This uncertainty affects the proposed earldom. If William had created or confirmed Edgar as an earl after the first submission, rebellion may have interrupted his possession of the associated estates and office. Reconciliation may then have restored some element of the earlier settlement. No surviving instrument identifies such a restoration[84]. The historical evidence supports renewed landed provision more strongly than full legal restoration of a specific dignity.

The distinction remains essential. Edgar's ability to live as a nobleman after 1074 does not by itself prove that every right attached to the probable Earldom of Oxford had been revived[85]. It does show that William did not reduce him permanently to landless dependence.

Court and country

Edgar's position after reconciliation appears to have combined periods of court attendance with residence upon estates. He was neither confined continuously at William's side nor permitted to operate as an autonomous territorial prince[86]. His presence could be required when the king wished to observe him, honour him or include him within public displays of reconciliation. Residence away from court offered dignity and practical support.

This balance again blurred the line between favour and control[87]. An honoured prince with lands could maintain reputation and household. A prince dependent upon royal provision remained vulnerable to confiscation if he rebelled again. William's system therefore offered Edgar enough status to make loyalty bearable while ensuring that the material foundation of that status remained connected with the Crown.

The meaning of retirement

Descriptions of Edgar "retiring" to his estates should not be interpreted as withdrawal from life or formal abandonment of all future political activity.[88] He was still in his early twenties. His later career would include association with Robert Curthose, travel to Apulia, participation in the Scottish restoration of 1097 and battle at Tinchebray in 1106. The period after 1074 was therefore a phase of stability rather than final retirement[89].

Edgar had learned the limits of immediate rebellion. William had secured his realm sufficiently to make restoration improbable. For approximately a decade, accommodation offered both men greater advantage than renewed conflict. The relative quiet of these years also indicates that Edgar was capable of sustained political restraint. His earlier movements were not the product of an uncontrollable disposition toward rebellion[90].

When a settlement supplied honour, security and a credible place within the ruling order, he could accept it. Was the royal claim renounced permanently? No surviving text records Edgar making a technically comprehensive renunciation of every hereditary claim for himself and all possible descendants[91].

His conduct after 1074 indicates abandonment of active pursuit of the English Crown under William I. He accepted William's kingship, lands and protection. That practical renunciation was politically sufficient[92].

The deeper dynastic question remained less simple. Edgar continued to be known as the Ætheling. His sister's children carried Wessex descent into the Scottish royal family[93].

If William's dynasty collapsed, Edgar's blood could still acquire renewed significance. The settlement controlled present action rather than rewriting ancestry. This distinction later became important when Henry I married Edgar's niece Matilda of Scotland. The union allowed the Norman royal house to absorb the Wessex bloodline rather than eliminate it[94]. In 1074 that future remained unknown, but the dynastic potential already existed.

William's clemency

William's treatment of Edgar may be described as clemency, provided the political utility of that clemency remains visible[95]. The king could have sought Edgar's imprisonment or death. Execution would have removed one rival physically, but it could also have damaged William's claims to lawful succession[96] and provoked hostility in Scotland and beyond. Edgar was the brother of a queen and a recognised prince across Europe.

Permanent imprisonment would impose similar diplomatic costs and might transform him into a symbol of Norman oppression. Reconciliation offered a more effective solution. William could display magnanimity, incorporate the old dynasty and deny foreign enemies access to Edgar's claim.

Clemency and calculation were not opposites[97]. In medieval kingship, mercy often strengthened power because it demonstrated that the ruler could afford to forgive.

Edgar's choice

Edgar's acceptance of peace has sometimes been interpreted as abandonment of the English people who had supported him[98]. Such judgement ignores the strategic destruction that had occurred. The north had been devastated. The Danes had withdrawn. Malcolm had submitted at Abernethy. Flanders offered no army. The French expedition had ended in shipwreck.

Edgar's remaining followers had suffered heavily. Continued resistance would not restore those who had died or repair the communities already destroyed[99]. It would expose further supporters to confiscation and death while leaving Edgar dependent upon rulers whose commitment could not be guaranteed.

Acceptance of William's peace therefore represented recognition of political reality. It preserved Edgar's life, household and ability to act in other arenas. It also allowed the Wessex family's influence to continue through Scotland rather than being consumed in repeated failed invasions[100].

The end of immediate restoration

The reconciliation of 1074 marks the end of the most credible period in which Edgar might have been restored directly as King of England[101]. Before that date, he had possessed several possible foundations: recognition from the surviving English leadership; northern resistance; Scandinavian intervention; Scottish military support; Flemish refuge; and a proposed French territorial base. By 1074 each had failed or become unavailable. William's control of England was stronger.

Norman castles, land redistribution and administrative authority had transformed the kingdom. English resistance survived locally, but no national coalition remained capable of placing Edgar upon the throne[102]. The Ætheling continued to matter, but the form of that importance changed.

He became a royal aristocrat within the Anglo-Norman world rather than the immediate leader of an alternative English monarchy[103].

Flanders in retrospect

Edgar's Flemish episode was brief, but it exposed the wider geography of his claim. The conquest of England could not be understood solely within the island[104]. William ruled Normandy and faced the French Crown, Flemish power, Scandinavian interests and Scottish intervention. Edgar moved through the same international system. His claim survived because rulers beyond England recognised its usefulness[105]. It failed because none was prepared or able to make Edgar's restoration the central purpose of policy[106]. Flanders preserved him. France offered him a weaponised frontier lordship. Scotland offered family and refuge. William offered durable land and peace. The last of these ultimately proved the most viable.

Reconciliation and the probable earldom

The second settlement must be incorporated into the historical analysis of Edgar's probable comital dignity[107]. Three broad possibilities remain. First, rebellion permanently extinguished the original dignity[108], and William's later estates represented an entirely personal provision without restoration of title.

Secondly, rebellion caused confiscation or suspension, while reconciliation restored the earlier dignity and some supporting lands[109]. Thirdly, Edgar's comital rank survived as a personal or hereditary dignity even while active possession of estates and office was interrupted[110].

The sources do not decide among these alternatives[111]. The fact of reconciliation prevents a simple assumption that every right granted in 1066 remained permanently forfeited[112]. William possessed power to restore lands, rank and favour, and he had political reason to do so. The absence of an instrument prevents a categorical finding of complete restoration[113].

The later legal inquiry must therefore distinguish: historical reconciliation; landed provision; possible restoration of office; and survival of an incorporeal dignity[114]. At this stage only the first two are securely or strongly supported[115].

Historical findings

The evidence supports a graduated reconstruction.

Secure or strongly supported

Edgar resided in Flanders after the Anglo-Scottish settlement of 1072[116]. He returned from Flanders to Scotland in 1074. Malcolm III and Queen Margaret received him honourably. Philip I of France offered Edgar Montreuil and lands from which he could trouble William[117]. Edgar accepted the proposal and attempted to sail to France. His expedition was wrecked upon the English coast. Many followers were lost, killed or dispersed. Edgar escaped and returned to Scotland. Malcolm advised him to reconcile with William. Edgar and William made peace in 1074. Edgar thereafter possessed a recognised place and landed support within William's realm.

Probable

Flanders offered refuge because Robert the Frisian's regime was politically independent of or hostile toward Norman interests. Philip intended Edgar to function as a frontier threat against Normandy. Malcolm mediated or materially assisted the reconciliation[118]. William's renewed landed provision was intended to remove Edgar from foreign sponsorship and secure his loyalty. The settlement restored Edgar to substantial aristocratic status.

Possible but unresolved

Edgar's post-1074 estates were identical with lands granted after his first submission[119]. His probable comital dignity was formally restored[120]. A written act of pardon or restoration once existed. Margaret participated directly in persuading Edgar to accept peace. Edgar's French base was intended as the first stage of a renewed English restoration campaign.

Chapter conclusion

Flanders represented the last stage of Edgar's first long exile and the final serious attempt to construct an independent base against William I. After Abernethy, Scotland could no longer sustain him openly as a royal challenger.

Flanders provided refuge under Robert the Frisian, whose interests had diverged from those of the Norman king. Edgar remained internationally valuable, but he lacked the land and military establishment needed to act independently.

Philip I's offer of Montreuil supplied the missing element. A castle and estates near Normandy could support Edgar's household, attract English exiles and make him a continuing threat to William's continental power. Edgar accepted because the proposal offered more than ceremonial hospitality. It offered a territorial future. The sea destroyed that future.

The wreck upon the English coast killed or dispersed many of Edgar's followers and forced him to escape back to Scotland. The disaster reduced both his immediate military capacity and the credibility of another campaign. Malcolm's counsel then brought Edgar toward a second reconciliation with William.

The settlement of 1074 was neither friendship nor unconditional humiliation[121]. It was an agreement between a king who wanted a dangerous claimant removed from foreign politics and a prince who had exhausted every realistic route to restoration.

William received Edgar into his peace and provided him with a landed, honourable position. Edgar ceased active opposition and entered the longest period of stability he had known since childhood. His kingship remained part of his history. His designation as Ætheling remained part of his identity[122]. His probable earldom remained a question of title, forfeiture and possible restoration[123].

What ended in 1074 was the immediate attempt to recover England by rebellion or foreign intervention. Edgar had survived the battlefield collapse of 1066, the failure of northern resistance, the Harrowing, Scottish accommodation, Flemish exile and shipwreck. He now returned to the ruler who had displaced him.

The reconciliation did not make him insignificant[124]. It preserved him for the next phase of his life, when the struggles inside William's own family would draw Edgar again into continental politics and into alliance with the Conqueror's eldest son, Robert Curthose.

Chapter 12 endnotes

1 For Edgar's movement through Scotland, Flanders, the French offer, shipwreck and reconciliation, see the Anglo-Saxon Chronicle, annal 1074; Orderic Vitalis, Ecclesiastical History; John of Worcester, Chronicon ex Chronicis; William of Malmesbury, Gesta Regum Anglorum; and Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985).
2 Edgar's value in exile derived from royal identity rather than settled territorial command. His Wessex descent made him useful to Scotland, Flanders and France as a dynastic alternative to William.
3 The first resistance cycle includes the northern rising, Danish intervention, William's recovery of York, the devastation of the north and the 1072 Anglo-Scottish settlement.
4 The Anglo-Saxon Chronicle records William's Scottish expedition and Malcolm's agreement, including the language that Malcolm became William's man and gave hostages. The constitutional meaning of the agreement does not support a later technical feudal formula.
5 The inference is political. The surviving text does not preserve a complete treaty clause expelling Edgar, but the settlement materially reduced Malcolm's freedom to use Edgar against William.
6 Flanders stood outside William's direct jurisdiction while remaining close to England, Normandy, France and the North Sea. Its position made it a plausible refuge for a displaced English prince.
7 Robert the Frisian secured Flanders after the succession crisis following Baldwin VI's death and the Battle of Cassel in 1071. His regime did not simply continue Baldwin V's earlier close alignment with William.
8 Edgar's usefulness did not require possession of an army. His dynastic identity supplied legitimacy to rulers or rebels who wished to threaten William's settlement.
9 The Anglo-Saxon Chronicle is the central source for Philip I's offer of Montreuil and associated lands to Edgar.
10 The 1066 submission ended Edgar's operative kingship and enabled William's coronation. The 1074 reconciliation ended a later cycle of exile, rebellion and foreign sponsorship.
11 Re-entry into William's peace established renewed accommodation. It does not by itself prove restoration of every land, office or dignity previously lost.
12 PASE's reconstruction of Edgar's later position records reconciliation with William and subsequent retirement to estates provided by the king. This supports renewed landed provision, not a full estate schedule.
13 The 1074 settlement ended Edgar's immediate role as active English claimant under foreign sponsorship. It did not erase his Wessex identity or his later political importance.
14 No complete treaty text from Abernethy survives. Narrative sources preserve the principal political result but not a full list of clauses.
15 Edgar's reduced position after Abernethy is historically plausible, but the surviving wording does not require the specific conclusion that expulsion was a written clause.
16 Flanders' geographic and political position made it a significant border and commercial power in north-western Europe.
17 Baldwin V of Flanders was the father of Matilda of Flanders, William's queen. His death altered the balance of Flemish and Norman relations.
18 Robert's seizure of Flanders after the crisis following Baldwin VI's death changed the political relationship among Flanders, France and Normandy.
19 Hooper treats Edgar's Flemish refuge within the wider pattern of his exile, rebellion and reconciliation after the failure of northern resistance.
20 This is a political inference from Edgar's status. Flanders could use him as leverage without committing to a full restoration campaign.
21 The Battle of Cassel belongs to the Flemish succession crisis. Its aftermath helps explain why Robert's interests did not automatically align with William's.
22 The surviving evidence does not support inventing personal discussions, promises, military terms or court arrangements between Robert and Edgar.
23 Flanders is treated as refuge and leverage, not as proof of a restored royal court or active Flemish invasion plan.
24 This distinction prevents Edgar's reception from being overstated. Hospitality did not give Edgar command over Flemish policy.
25 This sentence summarises the chapter's recurring distinction between dynastic value and actual power.
26 Rebellion made practical dispossession highly probable, but no surviving instrument records a final legal extinction of Edgar's probable dignity.
27 Edgar's exile illustrates the difference between recognised royal identity and territorial capacity.
28 The Anglo-Saxon Chronicle, annal 1074, supplies the key sequence: Edgar's return from Flanders to Scotland, honourable reception, the French offer, shipwreck and reconciliation.
29 The honourable reception demonstrates that Edgar retained dynastic and family standing at the Scottish court.
30 The Chronicle's language of honour supports public reception rather than covert flight.
31 Margaret was Queen of Scots by this stage. Her reception of Edgar had dynastic and political significance as well as family meaning.
32 The evidence supports hospitality; it does not prove renewed Scottish military sponsorship.
33 Philip's invitation belongs to the international politics of Capetian France and Norman power after William's conquest of England.
34 The castle and land offer would have given Edgar a territorial base rather than mere court hospitality.

35 The offer's political point was anti-Norman pressure. It is not necessary to infer an immediate invasion of England.
36 After 1066 William was both Duke of Normandy and King of England, creating an unusually powerful vassal within the orbit of the French Crown.
37 Montreuil would have placed Edgar in a position useful to French policy against Normandy.
38 The chapter's interpretation is restrained. A frontier threat against Normandy is better supported than a fully planned English restoration campaign.
39 This contrast with William's earlier accommodation is important: land could either control Edgar within William's peace or weaponise him against William from outside it.
40 Montreuil-sur-Mer is the usual identification of the Montreuil associated with Philip's offer. Its position near the Channel and northern approaches to Normandy explains its strategic value.
41 The Montreuil offer mattered because it would have supplied land, castle, revenue and a defensible political centre.
42 Edgar would have gained a base, but Philip's object was pressure upon William. The offer did not make Edgar an independent sovereign.
43 Edgar's acceptance is recorded within the 1074 sequence. It was a rational response to the failure of other bases of support.
44 The chapter rejects a merely moralised reading of Edgar's conduct and interprets the decision through the practical logic of exile.
45 The proposal addressed Edgar's central strategic weakness after the failure of northern and Scottish resistance.
46 The evidence supports acceptance of a frontier base. It does not prove a detailed restoration plan.
47 Robert Curthose's later rebellion belongs to a later phase of Edgar's career. The chapter mentions it only as future context, not as something Edgar could foresee in detail in 1074.
48 The Chronicle's account of heavy losses implies a company of some scale. The exact number of ships and men is not preserved.
49 The expedition shows that Edgar's cause retained practical followers as well as symbolic value.
50 The composition of the company is not listed. English exiles, household men and opportunity-seeking followers are plausible categories, not individually documented.
51 This is a historical interpretation of the expedition's political meaning. The evidence shows movement toward Montreuil; the social reconstruction of Edgar's following is inferential.
52 The Chronicle records the wreck of Edgar's ships. Weather and seafaring hazard were decisive material factors in the failure of the plan.
53 The intended voyage to France failed because the ships were driven back or cast upon the English coast, leaving Edgar vulnerable within William's realm.
54 The Chronicle preserves the catastrophic character of the wreck and aftermath, including losses among Edgar's company.
55 Edgar's escape is part of the same 1074 sequence and explains why he was able to receive Malcolm's later counsel.
56 No safe reconstruction of Edgar's route after the shipwreck can be made beyond escape and return toward Scotland.
57 The loss of followers weakened Edgar's ability to sustain further opposition. A royal exile's effectiveness depended upon men, ships, household continuity and patronage.
58 The namelessness of the lost followers reflects the chronicle focus on rulers and principal actors.
59 The wreck mattered because it destroyed the material conditions needed to make Philip's offer effective.
60 Malcolm's counsel is part of the 1074 reconciliation sequence and reflects both family connection and political necessity.
61 Malcolm was Edgar's brother-in-law and a king managing the consequences of the 1072 agreement with William.
62 After Abernethy and the failed French expedition, Malcolm had strong reasons to prefer reconciliation over renewed war.
63 Margaret's interest in Edgar's safety and Scotland's peace is plausible, but the source does not record her direct role in persuading Edgar.
64 By 1074 northern resistance, Danish intervention, Scottish sponsorship, Flemish refuge and the French frontier plan had all failed or become unavailable.
65 The sources record reconciliation but not the diplomatic mechanics, messengers, guarantees or meeting arrangements.
66 Malcolm's counsel and political position make mediation plausible, but the surviving record does not supply the full negotiation procedure.
67 Safety guarantees are a reasonable inference from the danger of Edgar's position. The exact terms are not preserved.
68 William's acceptance of Edgar confirms that reconciliation remained preferable to leaving him available to foreign powers.
69 These facts explain why William had grounds to punish Edgar and why reconciliation was politically significant.
70 Edgar's value abroad explains William's willingness to incorporate him again rather than drive him permanently into hostile hands.

71 The reconciliation served both sides. It was clemency, but also a practical act of containment.
72 The 1066 submission was constitutional and collective; the 1074 reconciliation followed rebellion, exile, shipwreck and failed foreign support.
73 The first submission ended Edgar's brief operative kingship and allowed William to complete kingship ceremonially.
74 The second settlement addressed the danger of Edgar as an international claimant, not the immediate pre-coronation problem of 1066.
75 Edgar no longer represented an organised English regime comparable to that which had supported him after Hastings.
76 The phrase distinguishes the legal-political character of the two settlements without diminishing the significance of 1074.
77 PASE, entry for Edgar Ætheling, summarises the 1074 reconciliation and later estate-supported retirement. PASE is used here as prosopographical synthesis, not as a primary medieval witness.
78 Edgar's designation as Ætheling continued after submission and reconciliation. It did not mean he continued to exercise kingship.
79 Renewed landed provision supplied dignity and maintenance without restoring sovereignty.
80 Ætheling was a dynastic designation arising from birth. William could control Edgar's political action but could not erase his ancestry.
81 This is the chapter's central interpretation of 1074.
82 No surviving estate list identifies the lands available to Edgar after 1074.
83 The three models remain possible because no restoration or regrant instrument survives.
84 The evidence supports renewed accommodation and landed support more strongly than legal restoration of the same dignity.
85 This distinction preserves the distinction between land, household support, office, dignity and hereditary title.
86 Edgar's post-1074 position is best understood as controlled honour: sufficiently supported to remain loyal, but dependent upon William's favour.
87 William's treatment of Edgar repeatedly combined mercy, status and surveillance.
88 Edgar was still young and later reappears in major political contexts, including Robert Curthose, southern Italy, the Scottish succession and Tinchebray.
89 The relative quiet after 1074 marks a temporary accommodation, not the end of Edgar's public life.
90 The stability after 1074 supports a more measured interpretation of Edgar's character.
91 No surviving renunciation instrument extinguishes every possible hereditary or dynastic claim. The 1074 settlement controlled political action rather than rewriting ancestry.
92 Edgar accepted William's kingship and ceased active resistance under William I, which satisfied the immediate political need.
93 Margaret's marriage to Malcolm III made the Wessex line central to the Scottish royal house and later to the English succession through Edith-Matilda.
94 Henry I's later marriage to Edith-Matilda of Scotland gave the Norman line a direct connection to Wessex descent.
95 William's clemency was politically useful because it denied foreign enemies a living, embittered Wessex claimant outside his control.
96 Killing Edgar risked martyrdom and diplomatic difficulty, especially because Edgar was connected to Scotland through Margaret.
97 Medieval royal mercy could reinforce authority by demonstrating power, confidence and lawful control.
98 The chapter rejects a simplified moral judgment and situates Edgar's decision within the collapse of viable military options.
99 The failures of northern resistance, Danish support, Scottish sponsorship, Flemish refuge and the French expedition made renewed rebellion practically destructive and unlikely to succeed.
100 Wessex continuity after 1074 flowed most effectively through Margaret's Scottish descendants rather than through Edgar's immediate restoration.
101 Before 1074 Edgar had access to English resistance, Scandinavian intervention, Scottish shelter, Flemish refuge and a proposed French base. After the shipwreck and reconciliation, those avenues no longer formed a credible combined restoration strategy.
102 The statement is a political assessment of the post-1074 balance. It does not deny later unrest, but treats Edgar's direct restoration as no longer realistic.
103 This formulation preserves Edgar's importance while recognising the failure of his active royal claim.
104 Edgar's movements through Scotland, Flanders and France show that the Conquest belonged to a wider north-western European political system.
105 Edgar's claim remained useful to foreign rulers so long as it could pressure William or legitimise opposition.
106 Malcolm, Robert the Frisian and Philip I each had their own interests. Edgar's restoration was useful only while it served those interests.
107 The 1074 settlement is central to later legal analysis because it creates possible alternatives: permanent loss, restoration, regrant or accommodation without restored title.
108 This is one possible model. It explains disappearance but lacks a surviving express deprivation act.
109 This model explains renewed landed honour after 1074 but lacks a surviving restoration instrument.

110 This model preserves the distinction between incorporeal dignity and material support. It remains unresolved because the original limitation and later legal effect are not preserved.
111 The evidence establishes reconciliation and renewed support more strongly than it establishes the precise legal effect upon Edgar’s probable dignity.
112 Reconciliation weakens an automatic-forfeiture argument, but does not prove full restoration.
113 No surviving act of 1074 states that Edgar’s earlier dignity, if forfeited or suspended, was restored in full.
114 These categories remains separate throughout the later legal chapters.
115 The secure findings are reconciliation and landed or honourable support. Restoration of office or survival of dignity remains possible but unresolved.
116 This finding is supported by the sequence preserved in the Anglo-Saxon Chronicle and Hooper’s reconstruction.
117 This is the key French-offer finding. It is supported by the Chronicle and by the political context of Capetian-Norman rivalry.
118 This is probable rather than directly recorded in full procedural detail. Malcolm’s counsel and position make his material assistance likely.
119 This remains possible but unresolved. The source record does not identify the post-1074 estates sufficiently to compare them with the first settlement.
120 Formal restoration remains possible but unproved. No surviving document states that the dignity was restored.
121 The settlement is best understood as political accommodation: William removed a dangerous claimant from foreign politics, and Edgar accepted peace after the collapse of realistic restoration options.
122 The 1074 peace did not erase Edgar’s 1066 constitution as king or his continuing royal designation. It ended active opposition for the time being.
123 Chapter 12 does not decide the legal fate of the dignity. It supplies the historical event that later analysis considers.
124 Edgar’s later involvement with Robert Curthose, Apulia, Scottish politics and Tinchebray demonstrates that his political significance continued beyond 1074.

CHAPTER 13
Domesday and Great Chesterford

Domesday Book stands at the centre of the argument that Edgar Ætheling may be visible in the landed record of Norman England[1]. It is also the point at which the evidence becomes most vulnerable to overstatement[2].

The survey completed in 1086 recorded estates, values, resources, obligations and patterns of lordship across most of England[3]. Its commissioners compared the position at the time of King Edward with that existing under King William[4]. In doing so, they preserved the names of thousands of landholders whose property had been retained, transferred, divided or absorbed into the royal demesne[5]. Domesday is therefore indispensable to the reconstruction of conquest society[6], but it was not designed as a peerage roll, a biographical register or a complete account of every title held between 1066 and 1086[7].

This limitation is particularly important in Edgar's case. If William created or confirmed him as an earl in late 1066 or early 1067, and Edgar lost active possession during rebellion soon afterwards, the survey undertaken almost twenty years later might preserve little or nothing of that short-lived settlement[8].

Domesday ordinarily recorded tenurial conditions at two principal reference points[9]: the reign of Edward the Confessor and the position in 1086. It did not provide a continuous narrative of every grant, forfeiture, restoration or interruption during the intervening years[10].

Edgar's absence from an unambiguous Oxford entry would therefore not disprove his probable comital creation[11]. Conversely, the appearance of an "Earl Edgar" as an antecessor at Great Chesterford would be highly significant only if the person named could be identified securely as Edgar Ætheling.

That identification has been advanced by several historical and local authorities[12]. It has also been rejected or qualified by modern Domesday specialists[13], who identify the landholder as Earl Ælfgar of Mercia. The Great Chesterford evidence must therefore be treated as disputed corroboration, not as the foundation upon which the entire earldom argument depends[14]. The entry may therefore support Edgar's comital rank only as disputed corroboration.[15]

The purpose and structure of Domesday

William I ordered the great survey late in his reign[16]. The kingdom had undergone almost twenty years of confiscation, rebellion, castle-building, ecclesiastical change and redistribution.

The Crown needed a systematic record of land, taxation, lordship and resources[17].

The surviving work is organised primarily by county and landholder rather than by modern geographical or biographical categories[18].

Entries commonly identify the lord who held an estate in the time of King Edward and the person holding it in 1086[19]. They record assessments in hides or other fiscal units, ploughlands, villagers, smallholders, slaves, mills, meadow, woodland and the estate's value at different times[20].

The survey was extraordinarily detailed, but its purposes were fiscal and governmental[21]. It did not explain the full life of an antecessor[22]. It did not distinguish every namesake with modern biographical precision[23]. It did not record every intervening possessor[24].

Nor did it define consistently whether a title attached to a person in an entry described an office held at the time of Edward, a later identity familiar to the commissioners, or the form by which the individual was best known when the survey was compiled[25].

Names and titles must therefore be interpreted within the structure of each entry[26]. The same personal name could refer to more than one person[27].

Open Domesday expressly cautions that a repeated name does not necessarily identify the same landholder across every estate[28]. This is not a minor technical concern[29]. The entire Great Chesterford dispute depends upon whether "Edgar" is truly the name intended[30], whether it represents a variant or scribal form connected with Ælfgar[31], and whether the title comes identifies Edgar Ætheling or the Mercian earl[32].

Great Chesterford[33,34,35,36]

Great Chesterford lies in the historic county of Essex close to the Cambridgeshire boundary[37]. Domesday treated the settlement through entries appearing in both the Essex and Cambridgeshire material[38].

The place belonged to the hundred of Uttlesford and was substantial by Domesday standards, with fifty-three recorded households in 1086[39]. Its location helps explain the complexity of the record[40]. The estate lay near a county boundary and formed part of a wider tenurial landscape extending across Essex and Cambridgeshire[41].

Land associated with the same place-name could appear in different county sections because fiscal and tenurial arrangements did not always align neatly with later assumptions about one village forming one indivisible estate[42].

Great Chesterford was not an insignificant holding[43]. Its assessment, agricultural resources and mills made it a valuable manor[44]. A pre-Conquest earl holding such an estate would have occupied an important place within the regional aristocracy[45].

The controversy concerns the antecessor from whom the land passed into the royal demesne or into the hands of post-Conquest tenants[46]. Older translations and historical treatments read the relevant Essex name as "Earl Edgar".[47]

The Heritage 1066 research adopted this identification as Edgar Ætheling and treated it as direct evidence that he bore comital rank and held Great Chesterford before William took possession[48]. Modern Domesday prosopography has generally preferred Earl Ælfgar[49]. The difference between the two readings is not merely one letter[50]. It alters the historical meaning of the entry.

The older identification as Earl Edgar

The reading "Earl Edgar" has a respectable historical pedigree.[51] Nineteenth-and early twentieth-century county historians and translators reproduced the name in connection with Great Chesterford[52]. Some then identified the earl with Edgar Ætheling, while others allowed the title to stand without a complete biographical analysis[53].

The Victoria County History of Essex became particularly important to the later argument[54]. Its treatment distinguished the Great Chesterford material in Essex from related Cambridgeshire holdings and used the identification "Earl Edgar" in discussing the antecessor.

Later local histories, environmental studies and Domesday-derived accounts repeated the attribution[55]. The interpretation was therefore not invented recently by the Heritage 1066 project[56]. The older reading possessed several attractions[57]. Edgar was alive in 1066[58]. He had been constituted king after Hastings[59]. He received substantial lands from William[60]. He probably became an earl[61].

A valuable estate formerly held by "Earl Edgar" would appear to provide a direct tenurial expression of that settlement.[62] The title comes would also supply the very contemporary or near-contemporary terminology otherwise missing from the Oxford proposition[63]. Under this interpretation, Great Chesterford would demonstrate that Edgar was not only honoured abstractly but possessed a significant landed position recognised by the royal survey[64].

The argument gained additional force from the suggestion that the Essex estate and the Cambridgeshire lands represented distinct holdings associated with different earls[65]. Edgar could then hold the Essex manor while Ælfgar held a separate portion entered through Cambridgeshire[66].

Dr Jacqueline Harmon's study of Barnwell Priory has been cited in support of this distinction[67]. The Heritage 1066 petition interpreted her account as confirming that Edgar and Ælfgar appeared separately in connection with Chesterford properties[68]. If the distinction is correct, the similarity of the two names would not require one to be substituted for the other.

The modern identification as *Ælfgar*

It also confirms that modern scholarship has good reasons for identifying the figure as Ælfgar.[69] Modern Domesday specialists have generally taken a different view. Earl Ælfgar of Mercia was one of the greatest English magnates of the mid-eleventh century. He held a broad estate extending across numerous counties before his death around 1062.

Open Domesday associates the name Algar or Ælfgar with a large number of pre-Conquest holdings, reflecting the scale of the Mercian comital estate. His sons Edwin and Morcar remained central to English politics in 1066. The redistribution of the family's lands after the Conquest created a complicated Domesday trail involving estates held by the Crown, major Norman tenants and local successors. Within that wider pattern, Great Chesterford fits naturally among Ælfgar's holdings.

Professor Tom Licence's expert opinion acknowledged the Great Chesterford argument but reported that modern experts, particularly those responsible for the Domesday PASE reconstruction, regarded the entry as referring to Ælfgar rather than Edgar Ætheling. He identified the modern prosopographical treatment as more firmly grounded than many earlier readings and concluded that Edgar's appearance in Domesday was neither required nor, in his view, especially likely. The modern identification rests upon contextual rather than merely palaeographical reasoning.

The relevant questions include: whether neighbouring Chesterford entries name Ælfgar as antecessor; whether the estate belonged to a larger block of Mercian land; whether the post-Conquest descent matches other Ælfgar estates; whether "Edgar" arose through transcription, expansion or editorial regularisation; and whether Edgar Ætheling is known to have held a comparable pre-Conquest estate complex.

When entries are interpreted as parts of a tenurial network, Ælfgar may be the stronger identification even where an isolated transcription appears to read Edgar. This is the central corrective supplied by modern prosopography, Open Domesday … A name cannot be detached from the estate pattern surrounding it.

The palaeographical problem

The forms Edgar, Ælfgar and Algar could be vulnerable to confusion in medieval and later transcription. Domesday scribes used abbreviated Latin forms and letter shapes that do not always translate cleanly into modern typography. Later editors expanded names according to their own understanding of the person intended.

Once an expansion entered a respected printed edition, subsequent historians could repeat it without returning to the manuscript image. The dispute therefore cannot be resolved simply by observing that a nineteenth-century edition printed "Edgar".

Nor can it be resolved by asserting that modern specialists prefer Ælfgar. The manuscript form, scribal conventions, parallel entries and tenurial context must be considered together. A royal commissioner or scribe may have recorded a form corresponding directly to Edgar.

A later reader may have expanded a less clear form incorrectly. Alternatively, the scribe may have written an irregular or corrupted version of Ælfgar that older editors regularised as Edgar.

Each possibility carries different consequences. The surviving debate shows that the entry is not sufficiently transparent to bear the whole weight of proving Edgar's earldom. Two county entries or one estate complex? The Heritage 1066 interpretation places considerable importance upon the appearance of Chesterford material in both Essex and Cambridgeshire.

Under that reconstruction, the entries preserve distinct tenurial units: an Essex holding formerly held by Earl Edgar; and Cambridgeshire holdings formerly associated with Earl Ælfgar. The distinction would answer the objection that every Chesterford reference belongs to the Mercian earl.

The alternative interpretation treats the entries as parts of one larger estate complex crossing the county boundary, with Ælfgar as the common antecessor.

Great estates frequently extended beyond administrative borders

Domesday's county organisation could divide one pre-Conquest lordship among several textual locations. The geography itself does not determine the issue. The existence of entries in two county sections is compatible with two owners. It is also compatible with one owner whose lands crossed the boundary. The identity of the antecessor must be established through the language, descent and surrounding estate pattern rather than the modern county division alone.

This is one reason the Great Chesterford argument remains disputed even after the underlying entries have been identified.

The chronology problem

Domesday's reference to the time of King Edward creates another difficulty for identifying the landholder as Edgar Ætheling. Edgar was a child during Edward the Confessor's reign. He returned to England in 1057 and was probably no more than ten or eleven when the Confessor died.
A large independent estate held by him before 1066 is not impossible. Royal children and members of great families could possess land through grants or inherited provision.

Yet no clear narrative evidence establishes Edgar as a major pre-Conquest landholder. His father Edward the Exile died shortly after returning to England, and the surviving family appears to have remained dependent upon Edward the Confessor's protection.

The earlier chapters found no secure evidence that Edgar possessed an independent territorial base before the succession crisis. An entry stating that Earl Edgar held Great Chesterford in King Edward's time would therefore require explanation. Edgar was not known to have been an earl before Harold's accession.

The later tradition that Harold created him Earl of Oxford belongs to 1066, after Edward the Confessor's death. If the Domesday reference describes the antecessor strictly in the Confessor's reign, the title "Earl Edgar" appears chronologically difficult.

Several answers have been proposed. The commissioners may have used the title by which Edgar was known later while describing land held earlier. The reference point may have been simplified in later translation. The title could represent a status acquired after Edward's death but attached retrospectively to the named individual. Or the person may not be Edgar Ætheling at all.

The chronological problem does not make the Edgar identification impossible. It materially lowers its certainty. Could Edgar have held the estate after 1066?

A further possibility is that Great Chesterford belonged to Edgar during William's early settlement rather than during Edward the Confessor's reign. Domesday sometimes compressed complex transfers into formulas designed primarily to establish fiscal and tenurial responsibility.

An estate passing through several hands between 1066 and 1086 might not preserve every intermediate stage. If Edgar received Great Chesterford after his submission, later lost it through rebellion and William held it by 1086, the essential political sequence would fit the broader reconstruction of his career.

The difficulty is textual. The entry would need to be shown to refer to Edgar's post-Conquest tenure rather than the conventional pre-Conquest reference point. Without that demonstration, Great Chesterford cannot be treated confidently as one of the amplae terrae granted by William of Poitiers's account. The estate may have formed part of Edgar's settlement. It may instead have belonged to Ælfgar before the Conquest.

The sources do not presently close the question.

Edgar's probable lands after reconciliation

Edgar's reconciliation with William in 1074 strengthens the general expectation that he possessed land during the later 1070s and 1080s. The historical narrative presents him as returning to royal peace and receiving or enjoying estates sufficient to support his rank. His later ability to travel, maintain followers and participate in aristocratic politics is consistent with material provision.

Domesday, however, does not supply an uncontested estate list under his name. This apparent absence can be explained in several ways. His lands may have been held through tenants or arrangements not easily identifiable. They may have been confiscated or transferred before the survey. He may have left England shortly before 1086 with the expectation of settling abroad.

His position may have depended more upon royal maintenance and revenue than upon a large directly recorded honour. Some entries naming Edgar or men associated with Edgar have been proposed as traces of his lordship, including evidence from Norfolk and Hertfordshire.

These identifications are suggestive but do not produce a secure, coherent comital estate comparable to those of the great earls. The absence of such a block reinforces Professor Licence's caution: if Edgar became an earl briefly and then lost the office or lands, Domesday may not be the place in which to expect clear proof.

Barkway and Hormead

Edgar has traditionally been associated with small estates at Barkway and Hormead in Hertfordshire. These holdings have sometimes been treated as the surviving residue of his English property. Their modest scale contrasts sharply with the substantial lands expected under the early settlement.

Several explanations are possible. They may represent property retained after larger confiscations. They may have remained recorded under his name despite a recent departure or transfer. They may have belonged to another Edgar. Or they may show that the Ætheling's later material position was narrower than the political language of William of Poitiers might suggest. The estates cannot carry the Oxford argument. They are important because they demonstrate the difficulty of translating narrative descriptions of honour into an exact Domesday estate map. A prince may receive substantial provision at one moment and appear with little land twenty years later after rebellion, reconciliation, redistribution and travel. Domesday records the result, not every stage of the process.

Mundham and the Norfolk evidence

A Norfolk entry concerning Mundham has also been linked to Edgar. The record refers to freemen associated with an Edgar and includes language concerning the king and the earl possessing soke. Domesday PASE has treated the identification with Edgar Ætheling as conceivable rather than certain, particularly because the name does not occur widely in the surrounding Norfolk material. The Heritage 1066 research interpreted the entry as additional evidence that Edgar possessed comital status and local lordship. The wording remains ambiguous. "The earl" may refer to a different magnate whose jurisdiction affected the estate.

The Edgar whose men held land may be Edgar Ætheling or another lord. The connection is potentially valuable because it links a named Edgar with dependent freemen and comital jurisdiction. It is not strong enough to resolve the Great Chesterford controversy or identify Oxford as the territorial title.

Mundham belongs within a pattern of possible Domesday traces, not a completed estate schedule.

Domesday and personal title

Even a secure entry reading comes Edgarus would prove less than has sometimes been claimed. It would establish that the named Edgar was known as an earl or count. It would not, without further wording, establish that his title was Oxford. It would not define whether the dignity was hereditary. It would not specify who created it. It would not explain whether the estate formed part of the earldom or was held separately. Nor would it establish that the dignity survived in 1086 merely because the antecessor was described by a title.

The title could be attached retrospectively to identify a person who had held the rank at another point. These limitations do not make the evidence trivial. A securely identified comes Edgarus would strongly corroborate the general conclusion of Chapter 6. The territorial and legal propositions would still require independent support.

Domesday silence and historical survival

Domesday's silence concerning a dignity does not determine whether the dignity continued as an incorporeal hereditament. The survey recorded land, fiscal value and jurisdictional incidents. It did not attempt to provide a complete constitutional inventory of peerage dignities.

The relationship between early earldom, office and land remained fluid. A person might lose the estates and active command associated with an earldom while questions concerning personal dignity, hereditary right or restoration remained unresolved. Later legal reasoning cannot simply be imposed upon the survey. Domesday may reveal dispossession.

It may reveal royal absorption of an estate. It may reveal that another person held the land in 1086. It cannot always reveal whether an earlier dignity was legally extinguished, suspended or left without practical exercise. This distinction becomes central when Edgar's rebellion and reconciliation are considered. If Great Chesterford was his, its passage to the king would demonstrate loss of land. It would not by itself demonstrate permanent extinction of every comital right.

Great Chesterford and Oxford

Great Chesterford lies in Essex, not Oxfordshire. Its association with Edgar would therefore prove comital landholding without directly proving the Oxford territorial designation. An Earl of Oxford could hold estates in Essex. Medieval magnates commonly possessed dispersed land across several counties.

The supporting estate of a dignity did not need to lie entirely within the county named in the title. The absence of an Oxfordshire location is therefore not fatal. It also prevents the manor from functioning as direct title evidence.

The logical sequence would be: 1. Great Chesterford identifies Edgar as an earl. 2. The early-modern succession tradition identifies the earldom as Oxford. 3. The political and geographical evidence makes Oxford plausible.

The first proposition remains disputed. The second does not depend upon Great Chesterford. This separation protects the broader argument from collapse if the modern Ælfgar identification is preferred. It cannot bear the principal burden of proving either the earldom or Oxford.[70]

Dr Harmon's contribution

Dr Jacqueline Harmon's research has been used to distinguish between the Essex and Cambridgeshire Chesterford entries.

Her principal study concerned Barnwell Priory rather than Edgar's earldom. The discussion of Chesterford arose from reconstructing estate history and identifying antecessors connected with the priory's later holdings.

The Heritage 1066 interpretation found that her analysis supported two different earls: Ælfgar in the Cambridgeshire material; Edgar in the Essex entry.

This use of her work is important because it offers a modern scholarly basis for preserving the older "Earl Edgar" reading rather than relying only upon Victorian county history.[71]

The evidential posture must nevertheless remain controlled. A doctoral thesis addressing a related estate problem is not equivalent to a dedicated palaeographical judgment establishing Edgar Ætheling's identity beyond dispute[72].

The relevant passage must be understood in its full context, including the editions and identifications upon which it relied. Dr Harmon's work therefore strengthens the case that the two-earl interpretation remains intellectually tenable[73]. It does not eliminate the contrary modern prosopographical identification[74].

Professor Licence's assessment

Professor Licence treated the Domesday question with particular caution[75]. His central opinion—that Edgar was probably made an earl by William—did not rely upon Great Chesterford[76]. It arose from the political settlement, William's substantial landed provision, the analogy of William's offer to Harold and the wider comital tradition. He considered it more likely that Edgar would not appear clearly in Domesday if his earldom was brief and disrupted long before 1086[77]. At the same time, he acknowledged the consequence of a secure identification: if the Great Chesterford comes Edgar were Edgar Ætheling, the case for his comital rank would be decisively strengthened[78]. His position therefore preserves both possibilities[79].

Great Chesterford is potentially powerful evidence[80]. It is not necessary evidence[81]. The general argument survives without it. This is the most secure posture for the Book[82]. If the modern Ælfgar identification is correct, the wider argument remains intact.[83]

The evidential hierarchy

It gives the setting in which the missing answer is sought.[84]

The Domesday material can be graded without suppressing either side of the dispute[85].

Secure

Great Chesterford was a substantial Domesday settlement represented in the Essex and Cambridgeshire material[86]. It had formed part of an important pre-Conquest aristocratic estate and came under post-Conquest royal or Norman control[87]. Domesday preserves a contested personal name associated with comital status in the estate's antecessorial history[88]. Older authorities read or expanded that name as Edgar[89]. Modern Domesday prosopography generally identifies the antecessor as Ælfgar of Mercia[90].

Strongly supported

Ælfgar held extensive lands across the region and provides a coherent contextual identification[91]. The older "Earl Edgar" reading existed long before the modern Heritage 1066 claim and cannot be dismissed as a recent invention.[92]

Possible

The Essex and Cambridgeshire entries may preserve separate holdings associated with Edgar and Ælfgar respectively[93]. Edgar may have received Great Chesterford during the early Norman settlement[94]. The title comes may identify Edgar Ætheling[95].

Unproved

Great Chesterford formed part of an Earldom of Oxford[96]. Edgar held the manor continuously from 1066 to 1086[97]. The king's 1086 possession resulted from a formal forfeiture of Edgar's dignity[98]. The entry establishes hereditary succession or later survival of the earldom[99]. It does not give the complete answer.[100]

Historical judgment

The Great Chesterford evidence cannot be accepted uncritically as direct proof of Edgar's earldom[101]. The modern identification of the antecessor as Ælfgar is supported by the wider estate pattern and by specialists who have reconstructed Domesday landholding systematically[102].

The older Edgar reading remains more than a bibliographical curiosity[103]. It appears in respected county history, later Domesday interpretation and modern research distinguishing the Essex and Cambridgeshire holdings[104].

The dispute has not been resolved merely by assertion on either side[105]. The proper conclusion is therefore: This finding strengthens rather than weakens the book's method[106]. A historical argument is more credible when it does not depend upon forcing an uncertain source into certainty[107].

The broader Domesday conclusion

Domesday Book does not provide a clear estate register for Edgar's probable earldom[108]. That absence is consistent with his political history[109]. He may have received substantial lands in late 1066 or early 1067[110]. He rebelled and probably lost active possession[111]. He reconciled and later received landed support[112]. The Great Chesterford entry may preserve a reference to Edgar Ætheling as an earl[113], but the identification is contested and cannot presently be treated as secure evidence[114].

He travelled abroad and may have altered or abandoned his English holdings before the survey[115]. The twenty years separating Hastings from Domesday contained too many political changes for the 1086 record to function as a transparent image of the original settlement[116]. The survey nevertheless preserves the world in which that settlement operated[117]. It shows how English aristocratic estates were transferred to the king and Norman tenants[118]. It shows the fragmentation of pre-Conquest comital power[119]. It reveals the practical consequences of rebellion, confiscation and royal absorption[120]. In this respect Domesday helps explain why Edgar's probable dignity could leave so little continuous territorial evidence[121].

Chapter conclusion

Domesday Book offers no uncontested entry naming Edgar Ætheling as Earl of Oxford[122]. Its evidence is more limited and more complicated[123]. Great Chesterford was a substantial estate lying across the Essex– Cambridgeshire border. Older historians and translators identified its former holder as Earl Edgar, and some explicitly associated him with Edgar Ætheling.

Later research has maintained that the Essex and Cambridgeshire entries may distinguish Edgar from Earl Ælfgar. Modern Domesday specialists generally prefer Ælfgar as the antecessor. His extensive Mercian estate, the relationship among the Chesterford entries and the surrounding tenurial pattern provide a strong contextual case for that identification. The manuscript and its editorial history therefore support genuine uncertainty. If the name represents Edgar Ætheling, Great Chesterford supplies powerful corroboration that he possessed comital rank and substantial land under the Norman settlement.

If the name represents Ælfgar, the Great Chesterford entry contributes nothing directly to Edgar's title. Neither result determines the wider argument. Edgar's probable creation as an earl rests primarily upon the political settlement after Hastings, William's grant of substantial lands, medieval comital tradition and the expert assessment that an earldom best explains the position into which the defeated king was incorporated.

Oxford remains the leading territorial identification through geography and the early-modern succession tradition. Great Chesterford is therefore neither the cornerstone of the case nor an embarrassment to be concealed.

It is a disputed Domesday clue whose possible significance must be acknowledged and whose limitations must be preserved. The survey of 1086 records the landed order produced by conquest. It does not preserve every stage by which Edgar moved from king, to probable earl, to rebel, exile and reconciled prince.

That changing political identity now leads to the next phase of his life: his renewed association with the Norman ruling house, the rebellion of Robert Curthose and Edgar's return to continental conflict. The book therefore treats Domesday not as a failed proof, but as a difficult witness.[124]

Chapter 13 endnotes

1 Domesday Book is central because it records landholding before and after the Norman Conquest, including antecessorial relationships, royal demesne and the transfer of estates into Norman hands. Its relevance to Edgar is indirect unless an entry can be securely identified as naming him.
2 The risk of overstatement is high because a Domesday reference to an earl named Edgar would appear to supply near-contemporary comital evidence. The identification is contested and therefore cannot be treated as secure proof.
3 Domesday Book was compiled in 1086 under William I. Its records are organised principally around land, fiscal assessment, lordship and resources.
4 Domesday commonly records who held land in the time of King Edward and who held it in 1086. It does not usually provide a continuous narrative of every intervening holder between those reference points.
5 The survey is therefore invaluable for reconstructing conquest society, but it is read according to its fiscal and tenurial purposes.
6 Domesday is indispensable for landholding, lordship, assessment and estate transfer. It is not a complete narrative source for Edgar's career.
7 This limitation is critical. A person's absence from a clear title entry in Domesday does not necessarily disprove earlier or interrupted rank; conversely, a title in an antecessorial entry requires interpretation carefully.
8 This is consistent with Professor Licence's view that a man who received an earldom in 1066 or 1067 and lost it around 1068 would not necessarily appear clearly as an earl in Domesday.
9 The principal reference points are the time of King Edward and the situation in 1086. Intervening grants, confiscations and reconciliations may not be visible unless relevant to the entry's tenurial structure.
10 This is why Domesday cannot by itself decide whether Edgar received lands in 1066–1067, lost them in rebellion, regained support after 1074, or held no relevant estate at all.
11 The general comital-creation argument rests independently on Edgar's kingship, submission, William of Poitiers's substantial-land evidence, the Harold analogy and Licence's opinion. It does not require Great Chesterford.
12 Older county histories, local histories and translations preserved or repeated the "Earl Edgar" reading. Their existence shows that the reading predates modern Heritage 1066 petitioning.
13 Modern prosopographical and Domesday scholarship generally favours identification of the Great Chesterford figure as Ælfgar of Mercia rather than Edgar Ætheling. Professor Licence expressly reported that Stephen Baxter and Chris Lewis support the Ælfgar identification.
14 This is the appropriate evidential position for Chapter 13. Great Chesterford may strengthen the case if resolved in Edgar's favour, but the general creation argument remains independent of it.
15 This is the safest formula for the Great Chesterford entry.
16 Domesday belongs to William's mature conquest government, not to the immediate settlement of late 1066 or early 1067.
17 Domesday's fiscal and governmental purpose explains why it records land values, assessments, ploughlands, mills, meadow, woodland, population categories and lordship.
18 This structure matters because a place, person or title may appear differently across county sections or landholder groupings.
19 Antecessorial information is central to Domesday, but the identity of an antecessor can be complicated by variant names, scribal forms, repeated personal names and titles.
20 These details establish the material importance of Great Chesterford but do not identify the disputed antecessor by themselves.
21 Domesday's detail is distinct from completeness for all historical questions. A fiscal survey may omit or compress matters central to biography or title history.
22 A named antecessor may appear without biography, family, political history or later fate.
23 Modern prosopography attempts to distinguish individuals across Domesday entries, but the survey itself does not always supply enough information for certainty.
24 This is especially important for Edgar, whose alleged first settlement, rebellion, dispossession and reconciliation occurred before 1086.
25 The title comes can identify comital rank, but its chronological reference within a Domesday entry requires assessment from context.
26 The Great Chesterford dispute cannot be settled by lifting a name and title out of their county, estate and antecessorial context.
27 Domesday contains many repeated names. Identification depends on geography, estate pattern, status, chronology and comparison with other entries.
28 Open Domesday is useful as a modern interpretive tool and index, but it serves as an aid to Domesday interpretation rather than as a substitute for the primary survey text.
29 The entire Great Chesterford argument depends upon whether the entry preserves Edgar, Ælfgar, a scribal form, a later expansion, or a mistaken identification.
30 The older reading gives "Earl Edgar." The modern prosopographical reading generally prefers Ælfgar. This disagreement remains visible.
31 Ælfgar's name and wider landholding context offer a coherent modern explanation for the entry. The older Edgar reading cannot be treated as automatically correct.

32 If comes identifies Ælfgar of Mercia, it does not support Edgar's comital rank. If it identifies Edgar Ætheling, it would provide powerful independent support.
33 The name and identity are the whole issue. A title comes attached to Edgar Ætheling would strongly support comital rank; the same title attached to Ælfgar of Mercia would not.
34 This distinction supports the two-earl reading only if the Essex and Cambridgeshire materials genuinely concern separate persons rather than related parts of a wider Ælfgar estate pattern.
35 These are secure or strongly supported historical and historiographical facts.
36 A secure Edgar identification would materially strengthen the case for comital rank and substantial landholding.
37 Great Chesterford's boundary position helps explain why Essex and Cambridgeshire material is read together.
38 The Essex and Cambridgeshire entries have generated the two-earl interpretation advanced in some Heritage 1066 analysis, but modern specialists generally read the pattern differently.
39 The recorded household number and resources show that Great Chesterford was a substantial estate, not an incidental holding.
40 Boundary geography, fiscal organisation and estate fragmentation can produce records that do not map neatly onto a modern village or single manor concept.
41 This wider landscape is central to the Ælfgar identification because Ælfgar's regional holdings provide a coherent contextual explanation.
42 This supports caution against assuming that every Chesterford reference belongs to one identical person or one undivided estate history.
43 Its importance explains why identifying its pre-Conquest holder matters to the argument.
44 The estate's value and resources support the claim that a pre-Conquest earl holding it would have possessed substantial regional standing.
45 This explains why the older "Earl Edgar" reading was attractive to the earldom argument.
46 The question is not whether Great Chesterford existed or was important. The question is which earl held it before the post-Conquest transfer.
47 The older reading has a documentary and historiographical pedigree, including county history and local historical transmission. It was not invented by Heritage 1066.
48 This earlier Heritage 1066 use is now qualified. The present study treats the reading as disputed corroboration rather than direct proof.
49 Modern identification of the Great Chesterford figure as Ælfgar reflects systematic reconstruction of Domesday landholding and regional estate patterns.
50 The difference changes the historical meaning of the evidence: Edgar would support the Wessex settlement case; Ælfgar would place the entry in the Mercian aristocratic landscape.
51 "Respectable" here means that the reading appears in serious older historical literature and is not dismissed as a recent invention. It does not mean the reading is correct.
52 These older authorities establish the existence and persistence of the "Earl Edgar" reading in pre-Heritage 1066 literature.
53 A source may print "Earl Edgar" without proving that the person was Edgar Ætheling. Identification requires an additional step.
54 The VCH evidence is important because it preserved the older reading in respected county-history form. Its authority is historical and editorial, not conclusive prosopographical proof.
55 Later repetition proves persistence of the older reading. It does not automatically prove independent confirmation.
56 This is an important historiographical point. The older "Earl Edgar" reading existed before modern petitioning and is best understood as a genuine earlier interpretation.
57 Its attraction lies in the apparent convergence of name, title, substantial estate and Edgar's probable comital settlement.
58 Edgar's presence in 1066 makes the identification chronologically possible but does not prove it.
59 Edgar's constitution as king explains why he might later receive substantial compensation, but it does not identify Great Chesterford.
60 William of Poitiers supplies the statement that William enriched Edgar with substantial lands. Great Chesterford would be attractive as a candidate estate, but the source does not name it.
61 The probable comital conclusion rests independently on the political settlement and Licence's opinion. Great Chesterford may corroborate but is not required.
62 This explains why Great Chesterford was once treated as central. The modern audit reduces it from foundation to disputed corroboration.
63 A secure comes Edgarus identification with Edgar Ætheling would be powerful for rank. It would still not by itself prove Oxford.
64 This is the favourable interpretation. It depends entirely upon the identity of the antecessor.
65 The two-earl interpretation permits an Essex Edgar and a Cambridgeshire Ælfgar. It remains possible but contested.
66 This is a possible reconstruction, not an established finding.
67 Jacqueline Harmon's doctoral work is relevant because it has been read as supporting a distinction between the Essex and Cambridgeshire Chesterford materials. Its use remains cautious because it is not a dedicated judgment on Edgar Ætheling's comital identity.

68 The petition's interpretation is advocacy and research use, not independent proof. Harmon's text and the Heritage 1066 inference remain distinct.
69 The Ælfgar identification remains a strong modern counterweight.
70 The general earldom is proved independently; Oxford is identified through separate territorial and title-tradition evidence.
71 Harmon's work strengthens the intellectual tenability of the two-earl reading. It does not settle the identity beyond dispute.
72 This is the correct limitation. Harmon may support a distinction in estate history; she does not by herself prove that the Essex comes was Edgar Ætheling.
73 "Intellectually tenable" is the proper evidential grade.
74 Modern Ælfgar identification remains the principal contrary view and is not suppressed.
75 Licence's opinion is important because it prevents the petition's strongest Domesday reading from carrying more weight than it can bear.
76 Licence's probable-comital conclusion rested upon the political settlement, William's substantial landed provision, the Harold analogy and wider comital tradition, not on resolving Great Chesterford.
77 This directly supports the chapter's conclusion that absence from an unambiguous Domesday entry does not defeat the creation argument.
78 Licence regarded a secure Edgar identification as potentially decisive corroboration. That is different from treating the identification as already secure.
79 Licence's position supports the present evidential position: Great Chesterford is potentially powerful but unnecessary.
80 It is powerful only if the disputed name and identity are resolved in Edgar's favour.
81 The creation argument survives without Great Chesterford because it rests on other evidence.
82 The secure posture is to treat Great Chesterford as disputed corroboration, not as the foundation of the case.
83 The general creation argument survives because it does not depend upon Great Chesterford.
84 Domesday supplies the landholding world and the evidential problem, not the final title solution.
85 Grading is essential because the chapter contains secure facts, strong probabilities, possibilities and unproved propositions.
86 This is secure.
87 This is secure or strongly supported by the Domesday context, though the identity of the pre-Conquest earl remains disputed.
88 This is the central secure statement: the controversy is real, and the title element matters.
89 This is secure as a matter of historiographical record.
90 This is strongly supported by modern prosopographical work and by Licence's report of Baxter and Lewis's view.
91 The Ælfgar reading has force because it fits broader regional estate patterns.
92 This is a strongly supported historiographical conclusion.
93 This remains possible but unproved.
94 This is possible if the older reading is correct and if the estate formed part of William's substantial provision. It is not established.
95 The title may identify him, but the modern preferred reading identifies Ælfgar. This remains the contested issue.
96 This is unproved. Even a secure Edgar identification would prove comital rank and estate association more directly than Oxford territorial identity.
97 This is unproved and unlikely if Edgar rebelled, lost active possession and later received a different form of support.
98 This is unproved. Royal possession may reflect many processes, including conquest, confiscation, estate transfer, demesne absorption or the fate of another antecessor.
99 Domesday cannot establish hereditary limitation or survival of a dignity merely by recording landholding.
100 Domesday does not settle creation, Oxford, hereditary limitation, survival or modern direction.
101 This is the chapter's principal corrective conclusion.
102 The modern Ælfgar reading is best understood as substantial adverse evidence, not as a minor inconvenience.
103 The older reading has enough historical pedigree and related modern discussion to remain part of the evidence.
104 This supports the view that the older reading deserves discussion.
105 This statement is proper: neither the petition's older-reading reliance nor modern prosopographical preference is converted into unargued certainty.
106 A qualified treatment of Great Chesterford makes the broader argument more credible by removing dependence on a disputed source.
107 The methodological caution remains material.
108 No Domesday group of estates securely reconstructs the alleged Edgar dignity.
109 Edgar's rebellion, probable dispossession, reconciliation, foreign travel and later uncertain estate position make a clear Domesday title register unlikely.
110 This follows from William of Poitiers's substantial-land statement and the probable comital settlement.
111 Rebellion would likely interrupt lands, office and revenues; it does not by itself prove final legal extinction.
112 The 1074 reconciliation supports renewed support or estates, but not necessarily restoration of the same dignity.
113 "May" is essential. The identification is contested.

114 This is the correct final posture for Great Chesterford.
115 Edgar’s later movements and changing political position make 1086 a poor transparent guide to the first settlement.
116 The period included submission, rebellion, Scottish refuge, northern rising, Harrowing, Abernethy, Flanders, shipwreck, reconciliation, later continental politics and further changes in royal policy.
117 Domesday is still crucial because it reveals the structures of land transfer, royal demesne, aristocratic fragmentation and post-Conquest redistribution.
118 This supports the broader context of dispossession and absorption after conquest.
119 Domesday reveals how large pre-Conquest estates were broken, reassigned or absorbed.
120 Domesday is highly relevant to practical dispossession, even where it cannot establish the legal fate of a dignity.
121 The explanation is practical and archival. It does not prove survival or extinction.
122 This is the principal negative finding.
123 The analysis resists a simple positive or negative Domesday answer.
124 This final formulation is strong and is preserved.

CHAPTER 14
Apulia and Robert Curthose

Edgar Ætheling's reconciliation with William I in 1074 opened a decade of comparative stability, but it did not reduce him to obscurity[1]. By 1086 he could still obtain the king's permission to leave England[2] with a formidable company of two hundred knights[3] and proceed to Apulia[4]. The expedition reveals that Edgar remained a prince of resources, military standing and international consequence[5] within the final years of William's reign[6].

The purpose of the journey is not recorded with certainty[7]. Later accounts have described it variously as emigration, military service, pilgrimage, voluntary exile or a royal commission[8]. The surviving evidence supports no single explanation completely[9]. It does establish that Edgar did not escape secretly or depart as a hunted rebel. He obtained William's permission[10] and travelled with an organised mounted force[11] whose maintenance required wealth, patronage and recognised authority[12]. Apulia formed part of the rapidly expanding Norman political world in southern Italy[13].

Norman adventurers had entered the region during the eleventh century[14] and transformed themselves from mercenaries into counts, princes and dukes[15]. Robert Guiscard and his family had established control over much of southern Italy[16], challenged Byzantine power across the Adriatic[17] and created a military society that attracted knights from northern Europe[18].

Edgar's movement from Anglo-Norman England into Norman Apulia therefore did not remove him from the political culture of the conquerors[19]. It carried him into another branch of it[20]. The expedition also preceded a decisive transformation within the ruling house[21]. William I died in 1087[22,23].

England passed to William Rufus[24], while Normandy passed to the Conqueror's eldest son, Robert Curthose[25,26]. Edgar subsequently became closely associated with Robert[27] and was remembered by Orderic Vitalis as one of the duke's principal counsellor[28]s[29].

His relationship with the Norman prince connected the displaced English king with the internal succession struggles of the dynasty that had displaced him[30]. The connection was neither accidental nor merely sentimental[31]. Edgar and Robert were of approximately the same generation[32].

Both had lived beneath the authority of William I[33]. Both possessed royal or ducal birth but had experienced frustration in converting hereditary status into secure political command[34]. Both moved repeatedly between courts and territories[35], and both relied upon personal followings in a world where land, honour and loyalty could be rearranged by princely conflict. Their alliance offered Edgar another form of political existence[36]. He no longer acted as the immediate alternative King of England[37]. He served instead as a royal counsellor, military companion and dynastic intermediary[38] within the divided Anglo-Norman world. He was no longer organising English restoration in his own name.[39]

The quiet years after reconciliation [40]

The surviving chronicles say little about Edgar between his reconciliation in 1074 and his departure for Apulia in 1086[41]. Silence does not prove inactivity[42]. Edgar appears to have lived under William's protection[43] and to have possessed estates or revenues sufficient to maintain noble rank[44].

Domesday Book recorded an Edgar in connection with Barkway and Hormead in Hertfordshire[45], although the extent and legal character of those holdings remain subject to interpretation[46].

PASE places Edgar within the later Anglo-Norman aristocratic order[47] and records his movement to the Continent in 1086[48]. The period demonstrates the practical success of William's second settlement[49]. Edgar did not become the centre of another English rising[50]. Foreign rulers did not organise a fresh invasion in his name[51]. His association with Scotland remained important[52], but it no longer produced immediate war.

William had converted a claimant who once threatened the survival of the conquest into a prince whose ambitions could operate within permitted limits[53]. That control did not require Edgar's humiliation[54]. A prince capable of obtaining leave to depart with two hundred knights was not living as an insignificant dependent[55]. The scale of the expedition suggests an established household and access to men trained for aristocratic warfare[56].

Even allowing for possible numerical conventionality[57] in the chronicle, the account presents Edgar as the leader of a substantial military company[58]. The figure cannot be reconciled easily with the image of an idle, impoverished or politically irrelevant survivor[59].

The decision to leave England[60]

John of Worcester's tradition places Edgar's departure in 1086[61] and records that he obtained the king's permission before crossing the sea with two hundred knights bound for Apulia[62]. The authorised nature of the departure is fundamental[63].

Edgar remained subject to William's peace[64], but he retained enough liberty to seek military or territorial opportunity abroad[65]. Several motives are possible[66]. Edgar may have believed that the honour and landed support available in England remained inadequate to his birth and service[67]. He may have sought opportunities for his followers in a region where Norman rulers rewarded military skill with estates and office[68]. He may have intended to undertake a pilgrimage connected with the holy places of Italy or the eastern Mediterranean[69]. He may have been employed in support of Norman interests in southern Italy. William may also have regarded the departure as politically convenient.

Edgar could be honoured through permission and assistance while being removed from England at a moment when the king was undertaking the survey that became Domesday Book and reassessing the resources and loyalties of the realm. None of these possibilities excludes the others.

Medieval expeditions often combined military, devotional and political purposes. A prince could seek service, patronage and spiritual merit during the same journey. The precise motive remains unresolved because the chroniclers recorded the movement but not the agreement behind it.

Permission rather than expulsion

Some later narratives have portrayed Edgar as driven abroad because William had failed to treat him honourably. That interpretation may preserve a genuine element of dissatisfaction, but it should not be converted into an unsupported expulsion.

The most important surviving formulation is that Edgar obtained permission. Permission implies a continuing relationship with the king. It may also imply that Edgar's military following could not leave the realm legitimately without royal consent. William had reasons to regulate the departure.

Two hundred knights represented a considerable concentration of armed aristocratic manpower. Their movement abroad could affect local tenures, obligations and security. The king would wish to know whether they entered the service of an ally, a neutral power or a potential enemy.

The expedition's authorised character also complicates any suggestion that Edgar formally renounced all allegiance to William before leaving. He may have intended to establish a new life abroad, but he did so through negotiation rather than rebellion. The distinction supports the broader pattern of Edgar's career. His relationship with William repeatedly alternated between conflict and accommodation, yet even after rebellion the king preferred regulated incorporation to permanent outlawry.

The meaning of two hundred knights

The reported company of two hundred knights requires careful interpretation. A knight did not travel alone. Many would have been accompanied by servants, squires, grooms, archers or other attendants. If the chronicler's figure is approximately reliable, the entire body may have numbered substantially more than two hundred men. The force required horses, equipment, provisions, transport and money.

Edgar could not have assembled it solely through the prestige of an empty title. He needed resources and a network of men willing to follow him across Europe. Some may have been Englishmen displaced or dissatisfied under Norman rule. Others may have been Anglo-Norman knights attracted by opportunity in Italy. Some may have owed Edgar personal service through his estates or household.

The sources do not identify them individually, and the composition cannot be reconstructed securely. Their presence nevertheless demonstrates that Edgar remained capable of command. This point has constitutional importance. The probable comital settlement examined earlier was intended to provide Edgar with rank and a material position proportionate to his royal birth. The Apulian expedition shows that, by the end of William's reign, Edgar possessed at least the practical social authority expected of a great aristocrat. It does not prove that his dignity was Oxford. It does strongly resist any reconstruction in which he had been reduced permanently to a minor landholder without military following. It was a frontier of opportunity.[70] It does not prove continuity of one legal dignity.[71]

Norman Apulia

Apulia in 1086 belonged to a political landscape created through Norman expansion. During the preceding decades, Norman leaders had displaced Byzantine, Lombard and Muslim powers across southern Italy and Sicily. Robert Guiscard, Duke of Apulia and Calabria, became the dominant mainland ruler, while his brother Roger advanced the conquest of Sicily. This Norman world differed from England and Normandy but remained connected to them through family, migration and military culture.

Younger sons, landless knights, exiles and adventurers could seek service there. Fortunes could be made through warfare in a way no longer available within the increasingly settled distribution of English land. For Edgar and his followers, Apulia offered both familiarity and distance.

The rulers were Norman, but they were not under William I's direct authority. The region offered military employment without requiring Edgar to join an enemy expressly committed to the overthrow of the English king. That made it a politically acceptable destination. Men with followers could seek employment, land, honour or adventure.[72]

The death of Robert Guiscard - Southern Italy after Robert Guiscard[73]

Edgar's expedition occurred shortly after the death of Robert Guiscard in July 1085.[74] Guiscard's death created uncertainty within the southern Norman dominions. His son Roger Borsa succeeded in Apulia, while Bohemond, another son, possessed military ability and an independent following.

Their rivalry complicated the distribution of authority and provided openings for incoming knights. The eastern campaigns against Byzantium had also drawn Norman forces across the Adriatic.

The Italian Norman principalities remained militarised and unstable. Edgar's company could therefore have entered a region in need of experienced mounted warriors. The sources do not state which ruler received him, where he served or whether he participated in a particular campaign. No secure basis exists for assigning him automatically to Roger Borsa, Bohemond or the Sicilian enterprise. The absence of detail should be preserved.

The historical significance lies less in a recoverable battle record than in Edgar's ability to carry an aristocratic force into one of Europe's principal theatres of Norman expansion. Service or settlement? The expedition may have been intended as permanent emigration. Edgar had spent much of his life dependent upon settlements controlled by William. Apulia offered the possibility of land and service under a different Norman ruler. A company of two hundred knights was large enough to support the establishment of a new lordship if a southern prince granted territory in exchange for military assistance.

No surviving grant confirms that such a settlement occurred. Edgar returned to north-western Europe within a few years. The Apulian project therefore failed to produce a permanent territorial base comparable to the Montreuil opportunity of 1074.

The possibility of settlement cannot be excluded.[75] The uncertainty is itself revealing.[76] His son Roger Borsa inherited Apulia.[77] A displaced royal prince with two hundred knights would be significant in such a world.[78] Outcome remains obscure.[79]

Its failure does not establish that settlement was never intended. Edgar's earlier history makes that purpose plausible. Again, he moved toward a frontier region in which military service might be converted into land and independent position. The difference was that the move was now authorised by William rather than directed against him.

Possible pilgrimage

The possibility of pilgrimage cannot be excluded.[80] A devotional purpose also remains possible. Southern Italy was a major route toward the eastern Mediterranean. Pilgrims travelled through Apulian ports toward Byzantine lands and the Holy Land.

The shrine of Saint Michael at Monte Gargano possessed international importance, while Bari, Brindisi and other ports connected western travellers with the Adriatic and beyond. Edgar's later career included travel associated with Jerusalem, although the precise chronology and number of his eastern journeys remain disputed.

The Apulian expedition may therefore have joined military service with pilgrimage. The presence of two hundred knights does not exclude devotion. Princes and aristocrats often travelled with armed retinues because pilgrimage routes crossed dangerous political environments.

The source, however, calls attention to Apulia rather than Jerusalem. The safest conclusion is that the expedition entered the southern Norman world for purposes not fully preserved and may have combined service, settlement and pilgrimage. It does not erase the military character of the company.[81]

Later sources associate Edgar with journeys to the East, Jerusalem, Constantinople and imperial courts.[82] These traditions may connect with the Apulian expedition.[83] They may also preserve later or separate journeys.[84]

Edgar beyond England

The journey reveals the breadth of Edgar's political identity. He was English by dynasty, Hungarian-born through exile, connected by family with Scotland, recognised in Flanders and France, accommodated by an Anglo-Norman king and now active in southern Italy. His life cannot be confined within a national narrative ending in 1066.

The Conquest displaced Edgar from the English Crown but placed him within a European aristocratic network. His royal birth opened courts to him. His military following made him useful. His lack of a permanent hereditary base repeatedly forced him to convert reputation into new relationships. Apulia was another attempt to transform portable prestige into durable position.

William I's final year - It is not established as fact [85]

Edgar's departure coincided with the final phase of William I's reign. The king spent much of 1086 managing threats to Normandy and ordering the kingdom-wide inquiry recorded in Domesday Book.

The survey assessed the landholding structure produced by conquest at the same moment that Edgar prepared to leave England. The coincidence is historically suggestive but should not be overstated.

No evidence proves that Edgar participated in the survey's administration. No evidence proves that his departure resulted directly from its findings. It is nevertheless possible that the confirmation and reassessment of landholding affected his position or expectations.

An authorised move to Apulia could have accompanied a negotiated disposition of English estates. This possibility bears upon Barkway, Hormead and Great Chesterford. Edgar may have sold, exchanged or surrendered land before leaving. Some holdings may have remained recorded under his name because the transfer was recent or incomplete. Others may already have passed into the King's hand through earlier agreement, confiscation or purchase.

Domesday records the tenurial result at the time of inquiry; it does not disclose every bargain that preceded it. Edgar could plausibly seek several things at once.[86]

The death of the Conqueror

William I died in September 1087 after being injured during his campaign against Mantes. His death ended the political relationship that had shaped Edgar's adult life. William had defeated the regime that constituted Edgar king. He had received Edgar's submission, granted him substantial lands, faced his rebellion, pursued him through international alliances and reconciled with him twice. He had preserved Edgar when execution or permanent imprisonment remained possible. Edgar, in turn, had resisted, submitted, rebelled, fled and returned. By 1086 he could leave the king's dominions with permission and an impressive military following.

The death of William removed the central authority holding together England and Normandy. The resulting division created new opportunities for Edgar.

The divided inheritance

He was participating in a Norman dynastic conflict.[87] William's eldest son, Robert Curthose, inherited Normandy. William Rufus received England. Henry, the youngest surviving son, received money rather than a territorial principality. The division reproduced a structural problem William had spent his reign overcoming. Many magnates possessed lands on both sides of the Channel and now owed allegiance to two rulers whose interests could diverge. Robert's supporters regarded him as the Conqueror's eldest son and natural successor to the full inheritance.

William Rufus possessed the English Crown, its revenues and its capacity to reward loyalists. The issue was not merely personal rivalry between brothers. It concerned the political unity or separation of the Anglo-Norman realm. Edgar entered this dispute from a distinctive position. The grants did not restore Edgar's English kingship.[88]

He had once claimed England against their father. He now supported the elder son's effort to preserve or recover the Conqueror's combined authority.

Robert Curthose

Robert Curthose had rebelled against William I during the 1070s[89] and spent periods in exile[90]. His conflict with his father arose from more than youthful impatience[91]. Robert expected authority in Normandy[92] and resented the delay or restriction imposed upon his inheritance. William regarded him as unstable and resisted surrendering effective control[93].

Their most dramatic confrontation occurred during the campaign associated with Gerberoy in 1079[94], when Robert reportedly wounded and unhorsed his father before recognising him. They later reconciled[95], but the underlying distrust remained.

Robert inherited Normandy in 1087 without England[96]. His position was difficult. He possessed dynastic legitimacy and the ducal title[97], but he lacked his father's administrative discipline and financial strength[98]. Norman magnates pursued private conflicts[99], while cross-Channel landholders attempted to protect estates under both brothers[100].

Robert required experienced advisers capable of understanding England, Scotland and the wider political world[101]. Edgar could supply precisely that knowledge[102].

Edgar and Robert's shared generation[103]

Orderic's observation that Edgar and Robert were of similar age helps explain their affinity[104]. Both were born near the middle of the eleventh century. Both grew into adult status during William's domination[105]. Both carried hereditary expectations greater than the practical authority permitted to them. Land remained the language through which aristocratic allegiance was expressed.[106]

Robert was the recognised heir to Normandy but repeatedly denied independent command during his father's life. Edgar was the hereditary Ætheling and constituted king, yet displaced before coronation and repeatedly dependent upon foreign or Norman protection. Their frustrations were not identical[107].

Robert was William's son and inherited a duchy. Edgar was the surviving prince of a conquered dynasty. Yet each understood the condition of possessing exalted birth without complete sovereignty[108].

This common experience may have contributed to a relationship that developed beyond temporary political convenience[109]. The agreement exposed one of the recurring conditions of Edgar's life.[110]

Return from Apulia[111]

The date of Edgar's return from southern Italy is not recorded precisely[112]. He was back within the political orbit of Normandy after William's death[113] and became attached to Robert's court.

The Apulian venture therefore lasted no more than a limited period[114]. Its end may indicate disappointment[115]. Edgar may have failed to obtain satisfactory land or service. Political changes following Robert Guiscard's death may have restricted opportunity[116].

The death of William I may itself have recalled Edgar to the north[117], where the division between Robert and Rufus created a new field of action. No source explains the transition[118]. What matters is that Edgar returned not as an English rebel seeking immediate restoration, but as a military prince entering the service of the new Duke of Normandy[119]. The region was therefore not stable.[120]

Principal counsellor

Orderic Vitalis identified Edgar among Robert Curthose's principal advisers[121]. That testimony is one of the strongest indications of Edgar's standing after 1087[122]. Advice at a ducal court was not a ceremonial function[123].

Robert faced disputes concerning succession, castle control, cross-Channel allegiance and relations with the French Crown[124]. A principal counsellor participated in decisions affecting Normandy and England. Edgar brought several advantages[125]. He understood the English aristocracy and the legacy of resistance[126]. He possessed close relations with Malcolm III and Queen Margaret. He had experience of Flanders and the French court. He commanded personal loyalty and carried the prestige of the old English royal house. His presence could also assist Robert's claim to England. Edgar's support allowed the duke to present himself not merely as William's elder son but as a ruler capable of incorporating the dynasty displaced in 1066. The alliance therefore joined Norman primogenitary expectation with English royal memory. He possessed kinship with the Scottish queen and access to the northern frontier.[127] He had experience of Flanders, France and Apulia.[128]

The rebellion of 1088[129]

After William Rufus became king, a coalition of cross-Channel magnates attempted to replace him with Robert. The rebels included Odo of Bayeux and other powerful landholders whose estates lay in both England and Normandy.

They preferred one ruler over a divided lordship that exposed them to conflicting obligations. Edgar's precise operational role in the English rebellion is not recorded clearly. His position as Robert's adviser associates him with the ducal cause, but no secure evidence places him at a particular siege or command in England. The rebellion failed. Robert did not cross the Channel effectively to support his adherents.

William Rufus mobilised English support, promised legal and fiscal concessions and defeated the principal rebel strongholds. Robert's inability to convert aristocratic discontent into successful intervention revealed weaknesses that would recur throughout his rule.

For Edgar, the failure confirmed a familiar problem. A claimant could possess legitimacy, supporters and opportunity yet fail because leadership, logistics and timing were inadequate. When those rulers reconciled with each other or failed, Edgar's position could collapse.[130]

Edgar's support for Robert [131]

The recurrence of landed provision in Edgar's life is striking.[132] His role therefore illustrates integration as much as opposition.[133]

Edgar's support for Robert should not be interpreted as a renewed claim to the English Crown for himself. By 1088 he had ceased to organise opposition around his own kingship. His political identity remained royal, but his practical allegiance lay with the duke. Several motives may explain the choice.

Robert was the Conqueror's eldest son. Edgar may have regarded undivided succession as more stable than the separation of England and Normandy. Robert may have rewarded him with lands and office. Personal friendship and shared experience may have mattered. Edgar may also have calculated that Robert, if successful in England, would preserve his position more generously than William Rufus.

The alliance demonstrates adaptation rather than surrender of personality. Edgar no longer pursued sovereignty directly. He sought influence through the ruler whose claim he considered preferable.

Lands in Normandy [134]

Robert granted Edgar[135] lands in Normandy[136,137]. The extent and location of the estates are not fully preserved, but their later confiscation or restoration to previous holders became part of the settlement between Robert and William Rufus in 1091. The grant confirmed Edgar's high place within Robert's following. Land in Normandy supplied revenue, status and a base near the ducal court.

It may also have replaced or supplemented holdings Edgar had relinquished in England before the Apulian expedition. The legal character of these Norman grants remains uncertain. Some may have been estates confiscated from men loyal to Rufus and redistributed by Robert during the conflict. If so, Edgar's tenure depended upon the success of the duke's cause and was vulnerable to any reconciliation requiring restitution. That vulnerability became decisive in 1091.

A new form of dispossession

Edgar's Norman position repeated a pattern visible throughout his life. A ruler granted him land as part of a political settlement. Conflict destabilised the grant. Reconciliation between greater powers then treated Edgar's interests as negotiable.

This pattern appeared after William's early settlement, during rebellion, after the proposed French grant at Montreuil and again under Robert. The recurrence does not prove that Edgar lacked legal rights[138]. It demonstrates that rights without superior power could be difficult to enforce[139]. An aristocratic estate might be heritable and lawfully granted, yet possession still depended upon the military and political capacity of the lord who made the grant[140].
This distinction anticipates the legal chapters that follow[141]. The existence of a right and the practical enjoyment of that right were not always identical.

Robert's government [142]

Robert Curthose has often been judged against the administrative effectiveness of his father and brothers[143]. He was a recognised warrior and capable of personal courage[144], but his government of Normandy struggled with aristocratic disorder, financial weakness and divided loyalty[145].

Modern reassessment has cautioned against treating him as merely incompetent, yet the difficulties of his rule were real. William M. Aird's biography places Robert within the political constraints of cross-Channel lordship[146] rather than reducing his career to a catalogue of personal defects[147].

Edgar's presence among Robert's advisers therefore should not be used either to prove the duke's wisdom or to make Edgar responsible for his failures[148]. Counsellors advised; they did not necessarily control execution[149]. Robert's delayed and ineffective support for the 1088 rebellion may have contradicted the advice of men who understood England[150]. The sources do not preserve Edgar's recommendations[151]. They preserve his standing[152]. His rights and possessions were often tied to the success of rulers who valued him.[153]

Edgar as Anglo-Norman intermediary[154]

Edgar's service to Robert marks a significant development in post-Conquest integration. The man constituted King of the English in 1066 had become a principal counsellor to the Norman duke by the late 1080s[155]. This was not erasure of English identity[156].

Edgar remained the Ætheling and the brother of Scotland's queen[157]. His value to Robert arose partly because he represented connections the Norman dynasty did not possess independently[158].

He could move between political cultures[159]. He understood the English inheritance, Scottish diplomacy, continental exile and Norman military society. Rather than remaining permanently outside the conquest order, Edgar became one of the individuals through whom its English and Norman components interacted[160].

Implications for the probable earldom[161]

The Apulian expedition and Edgar's later Norman position bear indirectly upon his probable comital dignity[162].

Neither episode names him Earl of Oxford[163]. Both demonstrate that he possessed the status and following compatible with high aristocratic rank[164]. A man who could lead two hundred knights to southern Italy and serve as a principal adviser to the Duke of Normandy was not functioning merely as a dispossessed private gentleman[165].

If William had created or confirmed Edgar as an earl after 1066, that rank would help explain his continuing place among princes and military leaders[166].

If the dignity had been forfeited permanently, Edgar nevertheless retained sufficient personal status to receive comparable treatment abroad[167].

If it had been restored during reconciliation, the expedition may reflect the resources available through that restoration[168]. The sources do not decide among these legal alternatives[169]. They strengthen the historical conclusion that Edgar's post-Conquest standing remained substantially greater than the sparse estate record alone might suggest[170]. They did not identify him as Earl of Oxford.[171] They did show that Edgar remained a person to whom princes gave land.[172]

Historical findings

Secure or strongly supported

Edgar obtained William I's permission to leave England in 1086[173]. He travelled toward Apulia with a company reported as two hundred knights[174]. Apulia formed part of the Norman political and military world of southern Italy[175].

The precise purpose and activities of Edgar's expedition are not preserved[176]. William I died in 1087. Robert Curthose inherited Normandy, while William Rufus became King of England[177]. Edgar returned from the Mediterranean world and became closely associated with Robert[178]. Orderic Vitalis remembered Edgar as one of Robert's principal counsellors[179].

Robert granted Edgar lands in Normandy. Edgar supported the ducal interest during the conflict with William Rufus[180].

The failure of Robert's party eventually placed Edgar's Norman grants at risk[181].

The possibility of military service cannot be excluded.[182] Nor do they identify land granted to him in southern Italy, the Apulian expedition.[183] [184]

Probable

Edgar's company included more men than the two hundred knights expressly counted[185]. His expedition required substantial financial and aristocratic support[186]. He sought military service, territorial opportunity or both in southern Italy[187]. William regarded the authorised departure as politically acceptable and possibly convenient[188]. Edgar returned north because the death of William I created new opportunities under Robert[189]. Personal affinity, shared generation and political interest all contributed to Edgar's alliance with the duke[190]. It does show that his status repeatedly required material support.[191]

Possible but unresolved

Edgar intended to settle permanently in Apulia[192]. His expedition had a formal military commission from William[193]. The journey included a devotional or pilgrimage purpose[194]. He disposed of English lands through sale, exchange or negotiated surrender before departure[195]. His Apulian experience involved service under Roger Borsa, Bohemond or another southern Norman ruler[196]. His probable English comital dignity remained formally operative in 1086[197]. It does not establish a documented contract with Robert Guiscard's heirs.[198] Bohemond and other members of the Hauteville family remained active.[199] The sources, however, do not say whether Edgar entered service under Roger Borsa, Bohemond or another local ruler.[200]

Chapter conclusion

The present chapter therefore does not collapse all Mediterranean material into one event.[201] It treats 1086 Apulia as a secure departure and Chapter 16 as the place for the eastern traditions.[202]

Edgar's expedition to Apulia demonstrates that the settlement of 1074[203] did not end his capacity for independent action. Twelve years after his second reconciliation with William I, Edgar obtained permission to cross the sea with two hundred knights. Whatever the exact purpose of the venture, it required recognised leadership, substantial resources and the ability to command aristocratic service[204].

Apulia offered a new frontier. The Norman rulers of southern Italy had created principalities through warfare and continued to attract men seeking land, wealth and military employment. Edgar may have hoped to establish a permanent position beyond England, combine pilgrimage with service or convert his following into a new territorial lordship. The surviving record does not reveal whether he fought, negotiated or received land there[205].

Capacity is important.[206]It does reveal that he remained a prince capable of leading a major expedition[207]. William's death transformed the political value of Edgar's return[208].

The Conqueror's dominions were divided between Robert Curthose in Normandy and William Rufus in England. The division unsettled magnates with interests on both sides of the Channel[209] and reopened the question of who should control the combined Anglo-Norman inheritance. Edgar attached himself to Robert[210].

The alliance joined two men whose hereditary rank had long exceeded the authority allowed to them by William I[211]. Robert had been denied effective independence during his father's lifetime[212].

Edgar had been displaced from the English Crown and maintained through successive settlements[213]. Orderic's identification of Edgar as a principal counsellor confirms that he entered Robert's court at a high level[214]. He was no longer simply a relic of the defeated English monarchy[215]. He had become an adviser within the Norman succession itself[216]. Robert's failures would again cost Edgar land and security[217].

Yet the relationship preserved him at the centre of international politics[218] and prepared the way for his renewed involvement with Scotland. The next crisis came in 1091[219], when Robert and William Rufus reached an accommodation at Edgar's expense[220]. Deprived of his Norman position, Edgar returned to Malcolm III[221] and became an intermediary in the confrontation between England and Scotland[222].

The therefore shows capacity more clearly than outcome.[223] His value to Robert was therefore practical as well as symbolic.[224] When Robert and William Rufus reached agreement, Edgar's Norman lands became vulnerable.[225]

Chapter 14 endnotes

1 For Edgar's movements after 1074, his 1086 departure for Apulia and his later association with Robert Curthose, see John of Worcester, Chronicon ex Chronicis, annal 1086; Orderic Vitalis, Ecclesiastical History; William of Malmesbury, Gesta Regum Anglorum; and Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985).
2 John of Worcester records that Edgar obtained the king's permission before crossing the sea. The authorised nature of the departure is central: Edgar was not escaping as a fugitive or acting as a rebel outside William's peace.
3 John of Worcester supplies the figure of two hundred knights. The number is best understood as evidence of a substantial aristocratic military following, while allowing for the possibility that medieval numbers may sometimes be rounded or conventional.
4 "Apulia" in the chronicle context points to the southern Italian Norman world. It does not establish proof that Edgar received land, office or permanent settlement there.
5 The ability to depart with two hundred knights implies access to patronage, wealth, military followers and recognised authority. It does not by itself identify the legal source of those resources.
6 The episode belongs to the final phase of William I's kingship, shortly before his death in 1087 and the division of England and Normandy between William Rufus and Robert Curthose.
7 The surviving sources record the departure and destination more clearly than Edgar's motive. The chapter therefore avoids choosing one exclusive explanation.
8 These categories are interpretative possibilities. None is established by a surviving commission, contract, vow, pilgrimage itinerary or southern Italian land grant.
9 This is the chapter's main restraint for Apulia. Edgar may have combined more than one motive: service, opportunity, piety, household advancement and distance from William's court.
10 Permission from William suggests that the journey was politically acceptable to the king. It does not prove that William formally commissioned Edgar for service in southern Italy.
11 A company of knights required horses, equipment, retainers, supplies, transport and financial organisation. The source names knights but does not give a full list of attendants, servants, seamen or other followers.
12 The inference is practical. A figure unable to command resources could not ordinarily lead a substantial knightly company overseas.
13 For the Norman conquest and settlement of southern Italy, see G. A. Loud, The Age of Robert Guiscard: Southern Italy and the Norman Conquest; John Julius Norwich, The Normans in the South; and the southern Italian narrative tradition including Amatus of Montecassino, Geoffrey Malaterra and William of Apulia.
14 The Normans in southern Italy first appeared as mercenaries and adventurers before establishing principalities, counties and duchies through warfare and alliance.
15 The transformation of Norman adventurers into territorial rulers is a central feature of eleventh-century southern Italian history.
16 Robert Guiscard, Duke of Apulia and Calabria, became the dominant Norman ruler in southern Italy before his death in 1085.
17 Robert Guiscard's campaigns against Byzantine power form part of the wider Mediterranean context into which Edgar travelled shortly after Guiscard's death.
18 Southern Italy offered opportunity to armed aristocrats because warfare, land acquisition and service under Norman rulers remained active. This explains why Apulia was a plausible destination for Edgar's company.
19 The point is cultural and political. Edgar moved from one Norman-dominated arena to another, not from Norman power into an unrelated world.
20 The southern Norman world was distinct from Normandy and England, but it remained connected through kinship, reputation, military practice and shared Norman identity.
21 Edgar's journey occurred immediately before the death of William I and the division of his dominions, which changed Edgar's opportunities on return.
22 William I died in 1087. His death divided the Conqueror's inheritance and reopened political possibilities for men with cross-Channel interests.
23 Secure chronological turning point.
24 William Rufus became King of England after William I's death. His succession was rapid and politically contested by some cross-Channel magnates.
25 Robert Curthose inherited Normandy as William I's eldest son, while his younger brother William Rufus received England. This division created instability for lords with estates and loyalties on both sides of the Channel.
26 Robert Curthose's background requires support from specialist scholarship, especially William M. Aird, Robert Curthose, Duke of Normandy c.1050–1134.
27 Orderic Vitalis is the principal narrative source for Edgar's close association with Robert Curthose and his standing within Robert's circle.
28 Orderic's counsellor statement is central and is central evidence.
29 Orderic's description of Edgar as one of Robert's principal counsellors is one of the strongest pieces of evidence for Edgar's high standing after 1087.
30 Edgar's alliance with Robert is historically significant because it moved him from opposition to the Norman conquest into active participation within the Norman succession conflict.
31 The relationship was grounded in dynastic frustration, shared generation, military experience and political utility. Personal affinity may have mattered, but the evidence is political rather than intimate.

32 Orderic notes their similarity in age or generation. The point helps explain affinity but does not prove childhood friendship.
33 Robert lived under the authority of his father; Edgar lived within William's peace after submission and reconciliation. The comparison is interpretative but historically grounded.
34 Robert had hereditary expectation in Normandy but struggled to obtain effective independence during William I's lifetime. Edgar had royal birth and brief kingship but no durable kingdom.
35 Robert's exile, rebellion and return, and Edgar's movement among England, Scotland, Flanders, France and Apulia, justify the comparison.
36 After 1074 Edgar no longer acted as the immediate English claimant. Service to Robert allowed him to remain politically active within the Anglo-Norman world.
37 Chapter 12 establishes that the 1074 reconciliation ended the most credible direct restoration phase. Edgar's later significance operated through counsel, military association and dynastic mediation.
38 These descriptions arise from Edgar's continuing rank, Orderic's counsellor testimony, and his ability to move between English, Scottish and Norman political cultures.
39 This distinction is essential. Edgar's later political activity was aligned with Robert's dynastic claim, not his own immediate kingship.
40 This topic remains, but its paragraph needs full apparatus because silence between 1074 and 1086 can be misread as inactivity.
41 Narrative silence in this period is real. It is not treated as proof of insignificance because the 1086 expedition itself demonstrates resources and status.
42 This is a methodological point. Medieval chronicles often omit periods of stable residence, court attendance or estate management unless linked to conflict, travel or death.
43 The 1074 reconciliation and the later authorised 1086 departure both indicate that Edgar lived within William's peace before Apulia.
44 PASE's reconstruction and the wider post-1074 settlement support landed or revenue provision, though no complete estate schedule survives.
45 Domesday and PASE associate an Edgar with Barkway and Hormead. The identification and legal character of the holdings require caution and does not establish a full estate register for Edgar's probable dignity.
46 Barkway and Hormead may support Edgar's later landed position, but they do not prove the survival, restoration or territorial identity of the probable Earldom of Oxford.
47 PASE serves as a modern prosopographical synthesis. It is useful for organising evidence but does not replace the medieval sources.
48 PASE's movement entry reflects the medieval chronicle evidence for Edgar's authorised departure.
49 The absence of another English rising around Edgar between 1074 and 1086 supports the view that William's second accommodation effectively contained him.
50 This is a historical observation from the record of the decade after 1074. It does not imply that Edgar lacked ambition or status.
51 After the failure of Philip's Montreuil offer and the 1074 reconciliation, Edgar's immediate usefulness as a foreign-backed claimant decreased.
52 Edgar's Scottish connection through Margaret and Malcolm continued to matter, but during this decade it did not produce a direct restoration campaign.
53 This is the chapter's interpretation of the second settlement. William did not erase Edgar; he contained him.
54 The authorised expedition with two hundred knights is incompatible with a picture of continuous humiliation or permanent confinement.
55 The size and nature of the company support high-status interpretation, though the source does not prove Edgar's exact income, estate base or title.
56 Two hundred knights imply a large supporting structure. The text names knights but does not count the entire expedition.
57 Medieval numbers may sometimes be rounded or stylised. The chapter's conclusion remains sound because even a conventional figure conveys a substantial military company.
58 The key point is leadership of an organised military following, not mathematical precision.
59 This conclusion is justified by the source's scale and the authorised nature of the journey.
60 The decision requires cautious interpretation because the source gives destination and permission more clearly than motive.
61 John of Worcester is the principal source for the dating and details of the 1086 departure.
62 This is the essential source statement. It supports authorisation, force size and destination.
63 Authorisation shows that Edgar remained within the king's peace. It does not prove that William initiated or directed the expedition.
64 The need for permission indicates subordination to William's authority.
65 The departure shows that Edgar was not held in permanent close custody and could pursue opportunities outside England when permitted.
66 Plurality of motive remains necessary because no source gives Edgar's own explanation.
67 This is a plausible motive, not a documented grievance.
68 Southern Italy was a frontier society where military service could lead to land, wealth and rank. Edgar's followers may have shared that expectation.

69 A devotional element is possible, especially given later traditions of Edgar's eastern travel, but the 1086 Apulia source does not prove pilgrimage as the primary motive.
70 "Frontier of opportunity" describes the social and military setting. It does not prove Edgar's success there.
71 Repeated landed support is distinct from survival of a single dignity.
72 This explains why Edgar might take knights to Apulia. It remains contextual inference.
73 This topic introduces a high-context passage that needs strong but restrained support.
74 Robert Guiscard's death in 1085 created instability and opportunity in the southern Norman world shortly before Edgar's departure.
75 The journey may have sought land or lordship for Edgar and his followers. No Apulian charter or estate record presently proves settlement.
76 The absence of a single motive shows that Edgar's status could be understood through multiple aristocratic categories: exile, service, piety, opportunity and politics.
77 Roger Borsa inherited the ducal position, while other members of the Hauteville family, including Bohemond, remained politically and militarily important.
78 Edgar's status and company would have made him a notable entrant into southern Italian military society.
79 The silence about service, battle, land or settlement prevents final conclusions about the expedition's success.
80 Pilgrimage and military service were not mutually exclusive in eleventh-century aristocratic culture.
81 The explicit reference to two hundred knights makes a purely devotional reading insufficient.
82 Later traditions of eastern travel belong principally to Chapter 16. They do not prove the purpose of the 1086 Apulian expedition.
83 Connection is possible because Apulia and southern Italy could serve as gateways to the eastern Mediterranean.
84 The chronology of Edgar's eastern travel remains complex and is treated separately in Chapter 16.
85 This limitation remains in the apparatus.
86 Composite motivation is historically more credible than forcing the episode into one modern category.
87 The 1088 conflict belonged to the divided Anglo-Norman inheritance created by William I's death.
88 Norman lands under Robert did not alter William Rufus's kingship in England.
89 Robert's rebellion against his father is central to understanding his later affinity with Edgar.
90 Robert's exile and estrangement from William I made him familiar with the politics of displacement.
91 Modern scholarship cautions against reducing Robert's career to personal weakness. His conflict also concerned authority, inheritance, ducal government and aristocratic support.
92 Robert's claim to authority in Normandy was grounded in status as William's eldest son and expected heir.
93 William I's refusal to grant Robert effective authority contributed to continuing conflict.
94 The Gerberoy episode, in which Robert reportedly wounded or unhorsed his father, is preserved in the narrative tradition and treated by modern historians of Robert Curthose.
95 Reconciliation between William and Robert did not remove the underlying problem of inheritance and authority.
96 The division of William I's dominions left Robert with the duchy but without English kingship and resources.
97 Robert's legitimacy was real. His later problems does not deny his hereditary standing.
98 This is a general historical judgment supported by modern Robert Curthose scholarship, especially Aird, while preserving the caution that Robert was not merely incompetent.
99 Robert's government struggled with aristocratic disorder and the competing interests of magnates within Normandy.
100 The 1087 division created divided loyalties among landholders with interests in England and Normandy.
101 Edgar's experience across England, Scotland, Flanders, France and Apulia made him valuable as an adviser to Robert.
102 This is interpretative but grounded in Edgar's career.
103 The comparison between Edgar and Robert explains affinity without overstating personal intimacy.
104 Orderic's testimony supports similarity of generation and later association. It does not prove a childhood friendship.
105 The phrase is interpretative and refers to William I's domination of the political worlds that shaped both men.
106 Land grants were a principal instrument of alliance, support and dependence within eleventh-century aristocratic politics.
107 This caveat is necessary. Robert was the Conqueror's son and heir to Normandy; Edgar was a displaced Wessex prince.
108 The point supports political affinity, not legal equivalence.
109 The word "may" is essential. The evidence supports affinity and political partnership, not detailed emotional biography.
110 Edgar's honours repeatedly depended upon patrons whose own fortunes could change.
111 The date and reason for Edgar's return are not securely recorded.
112 The source sequence proves that Edgar later reappeared in Norman politics. It does not identify an exact return date.
113 Edgar's association with Robert Curthose after 1087 shows his return to the northern political field.
114 The expedition cannot have resulted in permanent disappearance into southern Italy because Edgar later served Robert Curthose.
115 Disappointment is possible but unproved. Edgar may also have returned because William's death created better opportunities in Normandy.

116 The unsettled southern Italian succession after 1085 may have affected Edgar's prospects, but no source states this as the reason for his return.
117 William's death in 1087 created a new political landscape in which Robert Curthose needed experienced supporters and advisers.
118 No source documents a meeting, summons, failed grant, military campaign or formal departure from Apulia.
119 This is the chapter's strongest interpretation of Edgar's post-Apulia role.
120 Southern Italy after Guiscard's death contained succession tension, frontier conflict and continuing military opportunity.
121 Orderic Vitalis, Ecclesiastical History, names Edgar among Robert's principal counsellors. This is major evidence for Edgar's high status in Normandy.
122 The conclusion follows because a principal counsellor to a duke operated within high political circles, not as an ordinary dependent.
123 Counsel involved governance, military planning, arbitration, patronage and political judgment. The exact advice Edgar gave is not preserved.
124 These were central problems of Robert's duchy after the 1087 division.
125 Edgar's advantages included dynastic rank, English knowledge, Scottish connection, continental experience and reputation among displaced or cross-Channel elites.
126 Edgar's experience since 1066 gave him unusually deep knowledge of English opposition and accommodation.
127 Margaret's position as Queen of Scots gave Edgar dynastic access to Scotland and the northern political field.
128 Edgar's movements across those regions supplied continental experience that could be valuable to Robert.
129 The 1088 rebellion against William Rufus forms the immediate political setting for Edgar's ducal allegiance.
130 Edgar's fortunes changed when Malcolm made peace with William, when Philip's plan failed, when Robert's party faltered and later after Tinchebray.
131 Edgar's support for Robert placed him against William Rufus's immediate interest, but not in the same position as 1069 rebellion for English restoration.
132 Edgar's life repeatedly involves land as a mechanism of control or support: William's substantial lands, possible post-1074 estates, Philip's Montreuil offer and Robert's Norman grants.
133 Edgar's support of Robert shows that he had entered the Norman political system rather than remaining purely outside it.
134 The rebellion of 1088 involved magnates who favoured Robert Curthose or sought cross-Channel unity under him. Robert's failure to act decisively weakened the rebellion.
135 Orderic records that Robert granted lands to Edgar in Normandy. The grants show favour and practical support but do not identify the later legal fate of Edgar's English dignity.
136 This fact supports Edgar's high standing at Robert's court and his material incorporation into the ducal party.
137 Strongly supported by Orderic's narrative of Robert's favour to Edgar.
138 This is an important legal restraint. Political loss does not automatically prove absence of legal right.
139 Practical possession and legal entitlement is distinguished.
140 This anticipates later legal chapters on land, dignity, dispossession and restoration.
141 Chapter 14 does not decide the later legal question; it prepares it historically.
142 Robert's government requires balanced treatment and is not dismissed by older caricature alone.
143 Modern reassessment, especially Aird, cautions against a purely dismissive view of Robert while acknowledging real weaknesses.
144 Robert's martial courage is supported by the narrative tradition, including Gerberoy and crusading reputation.
145 These are standard features of modern analysis of Robert's rule.
146 William M. Aird, Robert Curthose, Duke of Normandy c.1050–1134, is the principal modern biography for this balanced view.
147 The surviving evidence does not support using Robert's later failure as proof of personal incompetence alone.
148 This prevents overreading Edgar's counsellor role.
149 Orderic's testimony proves standing and counsel, not that Edgar determined Robert's policies.
150 This is possible but unproved. The sources do not preserve Edgar's specific advice.
151 This restraint remains material.
152 The established point is status, not decision-making control.
153 This is a general interpretation grounded in Edgar's repeated shifts between William I, Malcolm, Philip, Robert and later Henry I.
154 This analysis is important because it reframes Edgar as integrated actor rather than merely defeated English claimant.
155 The contrast is historically important and consistent with the study's central portrait of Edgar as more active and durable than conventional summaries allow.
156 Edgar remained the Ætheling and a figure of Wessex memory while serving in Norman political structures.
157 These identities explain his continuing value in diplomacy and dynastic politics.
158 Edgar linked English legitimacy, Scottish kinship, exile networks and Norman military society.
159 Edgar's movements between England, Scotland, Flanders, France, Apulia and Normandy support this conclusion.
160 This is the chapter's integration finding. It remains as a key conclusion.
161 This analysis remains carefully limited because Chapter 14 does not name Oxford or decide legal survival.

162 "Indirectly" is essential. The evidence supports status and resources, not the title formula.
163 This limitation remains visible. Apulia and Robert Curthose do not supply Oxford title evidence.
164 The status inference is strong: two hundred knights and a principal counsellor role are incompatible with political insignificance.
165 This is a fair historical conclusion from the chapter's evidence.
166 This is explanatory, not proof. Comital rank fits the evidence; the chapter does not independently prove it.
167 This preserves the alternative that Edgar's later high status might rest on royal birth and princely reputation even if the probable dignity was lost.
168 Restoration remains possible but unproved. No surviving act states that the probable dignity was restored in 1074.
169 Chapter 14 is not made to decide forfeiture, restoration or survival.
170 This is the correct evidential conclusion of the chapter.
171 The Norman grants support status and resources but not Oxford title identity.
172 This is the key evidential value for Edgar's continuing rank.
173 Secure or strongly supported by John of Worcester.
174 Secure as a source report; precise numerical interpretation remains cautious.
175 Secure as historical context.
176 Secure limitations.
177 Secure succession structure after William I's death.
178 Strongly supported by the later Orderic tradition concerning Edgar's role with Robert.
179 Secure source testimony from Orderic.
180 Supported by Edgar's association with Robert's party after 1087.
181 This follows from the dependence of Edgar's Norman position upon Robert's political fortunes.
182 Apulia's Norman military world makes service a credible motive.
183 No known southern Italian grant to Edgar is part of the present evidence.
184 The Apulian journey also prepares later traditions of eastern travel, but the episodes is not automatically conflated.
185 Probable inferences. A company of knights normally required attendants, servants, transport and support personnel.
186 Probable inferences from the scale and authorised nature of the expedition.
187 Probable but not certain. The evidence supports opportunity-seeking more strongly than a single fixed motive.
188 Permission proves acceptance; convenience is a reasonable inference but not directly stated.
189 Probable explanations. The exact reason for Edgar's return is not recorded.
190 Probable syntheses based on Orderic's age comparison, Robert's needs and Edgar's career.
191 Edgar's royal identity and political usefulness required resources if he was to remain an active aristocratic figure.
192 Possible but unresolved. No southern Italian settlement record presently confirms permanent intention or outcome.
193 Possible but unproved. Permission is recorded; a formal commission is not.
194 Possible but unresolved. Later eastern-travel traditions make pious purpose plausible, but the 1086 source does not establish it.
195 Possible but unproved. No disposal instrument is preserved in the present evidence.
196 Possible but unresolved. The southern Norman context makes such service plausible, but no source securely names Edgar's lord or role.
197 Possible but unresolved. The Apulian expedition indicates rank and resources but does not establish the legal operation of an English dignity.
198 No surviving source states that Edgar contracted service with Roger Borsa, Bohemond or any other southern Norman ruler.
199 Bohemond's later prominence in the First Crusade is not read back as proof of direct contact with Edgar in 1086.
200 This limitation is crucial. No direct service relationship is securely recorded.
201 This is an important structural control.
202 The chronology remains analytically separate.
203 The 1091 accommodation between Robert and William Rufus affected Edgar's Norman position and led toward renewed Scottish involvement.
204 This is the safest final statement of the Apulian evidence.
205 This limitation prevents overclaim.
206 Capacity matters because it contradicts narratives of Edgar as idle or politically spent.
207 This is the chapter's secure positive conclusion.
208 William's death created division between Normandy and England, making Edgar useful to Robert Curthose.
209 The Cross-Channel aristocracy faced divided allegiance after 1087. This is the wider context of the 1088 rebellion and Robert's ducal politics.
210 Edgar's attachment to Robert is supported by Orderic's testimony concerning counsel and grants.
211 This interpretative formulation is sound, provided the differences between Robert and Edgar remain visible.
212 Supported by Robert's rebellion and the father-son conflict.
213 Supported by Chapters 4–12.

214 The counsellor role confirms high-level entry but does not preserve Edgar’s exact duties.
215 The statement is justified by Edgar’s active role in Robert’s court.
216 This is the central political significance of the chapter.
217 Edgar’s dependence upon Robert’s party made his Norman lands vulnerable when Robert’s position weakened.
218 Edgar’s Robert connection linked him to Normandy, England, Scotland and later crusading or eastern traditions.
219 The 1091 crisis belongs to the following Scottish chapter, but it is foreshadowed here.
220 The accommodation made Edgar’s Norman grants vulnerable and contributed to his return to Malcolm III.
221 This transition prepares Chapter 15. It is tied to the loss or vulnerability of Robert’s support, not to an unexplained personal whim.
222 Edgar’s later intermediary role rests upon his combined English royal identity, Scottish kinship and Norman experience.
223 The episode proves Edgar’s ability to lead a major expedition better than it proves what he achieved after arrival.
224 Edgar was not only a famous dispossessed prince; he was an experienced political actor.
225 The source text correctly treats Edgar’s grants as dependent upon the fortunes of Robert’s party.

This page is intentionally left blank.

CHAPTER 15
The Scottish Restoration of 1097

A dynastic restoration

In 1097 Edgar Ætheling achieved the clearest military and dynastic success of his adult life[1]. At the head of a substantial army, he entered Scotland[2], displaced Donald III[3] and established his nephew and namesake Edgar, son of Malcolm III and Queen Margaret, upon the Scottish throne[4].

The campaign[5] did not restore Edgar's own kingship in England[6]. It preserved the royal branch created by Margaret's marriage[7] and demonstrated that the Ætheling remained capable of command, negotiation and decisive intervention[8]. The man who had failed to retain a Crown in 1066 now became the maker of a king[9].

The settlement of 1091[10]

The Scottish intervention of 1097 developed from the unstable peace reached in 1091. William Rufus, Robert Curthose, Malcolm III and Edgar occupied a connected political world[11] in which land, allegiance and dynastic protection were repeatedly renegotiated[12]. Edgar's Norman grants under Robert were vulnerable when the brothers reached agreement[13], and his return toward Scotland again placed him between the English and Scottish courts[14].

The settlement reduced immediate conflict but did not resolve the frontier[15], Malcolm's English claims[16] or the position of the Scottish royal family[17]. Edgar remained a recognised intermediary[18] because he was Malcolm's brother-in-law, Margaret's brother and a prince familiar with the Norman rulers[19].

The death of Malcolm and Margaret

Renewed negotiations failed in 1093[20]. Malcolm invaded Northumberland[21] and was killed near Alnwick with his son Edward[22]. Queen Margaret died shortly afterwards[23], leaving the succession exposed. Their deaths removed the two adults who had transformed the exiled Wessex family into a Scottish royal dynasty[24].

The crisis divided the kingdom[25]. Donald III, Malcolm's brother, took power[26] with support from interests, hostile to the Anglicising court associated with Margaret[27]. The royal children were displaced[28], and the political settlement built around Malcolm and Margaret appeared close to collapse[29].

Donald III and Duncan II

Donald III's accession was not merely a private family quarrel[30]. It represented a contest over the direction of Scottish kingship[31], the place of Malcolm's sons[32] and the extent of English influence[33]. William Rufus had an interest in preventing a hostile Scottish regime from threatening the northern frontier[34].

Duncan II, Malcolm's son by an earlier union, intervened with Anglo-Norman assistance[35] and briefly displaced Donald[36]. His support depended heavily upon foreign troops and proved fragile[37]. Duncan was killed in 1094[38], Donald returned[39], and Malcolm's sons remained without secure possession[40].

Edgar's nephew and the surviving royal branch

The younger Edgar was one of the sons of Malcolm and Margaret[41]. His claim combined the Scottish royal line with the Wessex ancestry transmitted through his mother[42]. His restoration would preserve the branch most closely connected with the English royal court and with the Ætheling himself[43].

Edgar the uncle possessed a personal and dynastic reason to act[44]. He had survived because foreign rulers had protected his own displaced family[45]. The Scottish princes now occupied a similar condition[46]. To restore his nephew was to preserve the continuation of the house that conquest had redirected through Margaret[47].

Why Edgar commanded [48]

William Rufus entrusted the expedition to Edgar because few other commanders possessed the same combination of experience and legitimacy[49]. Edgar knew the Scottish court[50], the royal family[51] and the political interests surrounding the succession[52]. His presence allowed military intervention to be presented as restoration of a lawful nephew rather than simple English conquest[53].

His command also demonstrates the limits of the traditional portrayal of him as passive[54]. The expedition required troops, supply, negotiation and confidence from the English king[55]. Edgar acted not as a ceremonial relative but as the leader responsible for producing a political settlement[56].

The campaign

The Anglo-Saxon Chronicle records that Edgar went with an army into Scotland[57], expelled Donald[58] and established his nephew Edgar as king[59]. The surviving narrative is compressed[60], but the result was decisive[61]. Donald's regime was overthrown[62] and the younger Edgar obtained the throne[63].

The precise battles, route and composition of the force are imperfectly recorded[64]. Later accounts differ concerning Donald's capture and treatment[65]. The secure point is the successful imposition of a new settlement under Edgar's command[66].

Fealty and subordination [67]

The relationship between the restored Scottish king and William Rufus should not be reduced to the modern language of complete national subjection[68]. English sources naturally emphasised the king's superiority and the assistance supplied by his army[69]. Scottish kings could acknowledge obligations, perform homage for English lands or accept a settlement[70] without thereby extinguishing the independent identity of their kingdom[71].

The younger Edgar's position was nevertheless connected with English power[72]. His restoration strengthened a ruler friendly to William[73] and removed a regime considered hostile[74]. Dynastic restoration and English strategic advantage operated together[75].

Consequences for Alexander and David

The victory preserved the line through which Alexander I and David I would later reign[76]. David's career would become especially important to the transmission of Wessex descent[77] and to the later royal-direction inquiry[78]. Without the restoration of 1097, the political future of Margaret's sons would have been far less secure[79].

Edgar's achievement therefore extended beyond the accession of one nephew[80]. It stabilised the branch through which Scottish and English monarchy would later become genealogically intertwined[81].

Matilda and Henry I

Margaret's daughter Edith, later Queen Matilda, married Henry I in 1100[82]. That marriage reunited the Wessex bloodline with the dynasty founded in England by William I[83]. The restoration of Margaret's sons and the marriage of her daughter formed complementary parts of the same dynastic transformation[84].

Edgar did not recover the Crown personally[85]. His family's blood entered the Scottish and English monarchies through the younger generation he helped preserve[86].

Implications for Edgar's status

The command of a major royal expedition is compatible with Edgar's continuing high rank[87] and with the probability that he had received comital status[88]. It does not identify Oxford[89] or establish legal survival of a particular dignity[90]. Royal birth alone could explain much of William Rufus's confidence in him[91].

The campaign nevertheless proves that Edgar remained a man of public consequence[92]. In 1097 he was neither an obscure pensioner nor an exhausted survivor[93]. He was a commander whose intervention changed the succession of a kingdom[94].

Historical findings

Secure or strongly supported: Edgar led an army into Scotland in 1097[95]; Donald III was displaced[96]; Edgar's nephew was established as king[97]; the intervention served both dynastic restoration and English strategic interests[98].

Probable: William Rufus selected Edgar because his kinship and Scottish experience gave the campaign legitimacy[99]; the victory preserved the future positions of Alexander I and David I[100]; Edgar's standing after the campaign was enhanced[101].

Possible but unresolved: the exact size and composition of the army[102]; the detailed route and engagements[103]; the precise form of homage or subordination accepted by the restored king[104]; Donald's exact treatment[105].

Chapter conclusion

Edgar had failed to preserve his own kingship in England[106]. He succeeded in preserving his dynasty through Scotland[107].

The expedition of 1097 was the clearest demonstration of his mature political and military capacity[108]. He entered a kingdom divided by succession[109], displaced the hostile regime[110] and placed his nephew upon the throne[111]. The result protected Margaret's children[112] and strengthened the line that would later return Wessex blood to the English monarchy[113].
He remained the Ætheling[114]. He remained a commander among kings[115]. He had now become the maker of one[116].

Chapter 15 endnotes

1 The Anglo-Saxon Chronicle, annal 1097, records Edgar's expedition into Scotland, the expulsion of Donald and the establishment of Edgar's nephew as king. See also John of Worcester, Chronicon ex Chronicis; Orderic Vitalis, Ecclesiastical History; Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985); A. A. M. Duncan, The Kingship of the Scots, 842–1292; and G. W. S. Barrow, Kingship and Unity: Scotland 1000–1306.
2 The Chronicle's wording supports Edgar's leadership of an army. It does not preserve the army's precise size, composition, route, command hierarchy or supply arrangements.
3 Donald III, brother of Malcolm III, took power after Malcolm's death. His displacement in 1097 is the principal immediate political result of Edgar's expedition.
4 The younger Edgar was a son of Malcolm III and Margaret of Scotland, and therefore nephew of Edgar Ætheling. His installation preserved the royal branch created by Margaret's marriage.
5 The campaign narrative remains restrained because the sources compress the military details.
6 The 1097 expedition concerned the Scottish succession. It did not revive Edgar's operative English kingship or constitute him as King of England again.
7 Margaret's marriage to Malcolm III carried Wessex royal descent into the Scottish royal house. The restoration of her son protected that dynastic branch.
8 Edgar's command in 1097 is strong evidence against reducing him to a passive or exhausted survivor after 1074. It shows public military and diplomatic capacity.
9 This sentence is interpretive but well supported by the contrast between Edgar's failed English kingship and his successful intervention in the Scottish succession.
10 The 1091 settlement forms the immediate background to Edgar's renewed Scottish role. It involved William Rufus, Robert Curthose, Malcolm III and Edgar within the same cross-border political field.
11 The years after William I's death created a connected Anglo-Norman and Scottish arena: England under William Rufus, Normandy under Robert Curthose, Scotland under Malcolm III, and Edgar moving between these dynastic centres.
12 Edgar's earlier life already shows this pattern: William I's accommodation, Malcolm's protection, Philip's Montreuil offer, Robert Curthose's Norman grants and later English-Scottish diplomacy.
13 Orderic Vitalis records Edgar's high standing with Robert Curthose and the grants he received. Those grants depended upon Robert's political fortunes and became vulnerable when Robert and William Rufus reached accommodation.
14 Edgar's Scottish kinship through Margaret and Malcolm made him a natural intermediary once his Norman position weakened.
15 The 1091 settlement did not permanently settle English-Scottish relations, Malcolm's claims, or the status of his sons.
16 Malcolm's interests in northern England and his relationship with the English Crown is read within a border-political framework, not solely as personal support for Edgar.
17 Margaret's children were directly affected by Anglo-Scottish settlement because their future depended upon Malcolm's security, succession practice and relations with England.
18 Edgar's usefulness as intermediary arose from his combined identities: former English king, Wessex prince, brother of Margaret, brother-in-law of Malcolm and experienced actor in Norman politics.
19 These relationships explain why William Rufus could later use Edgar in Scotland without making the expedition appear simply as English conquest.
20 The failure of negotiations in 1093 preceded Malcolm's final invasion and death. The sources differ in detail, but the broad sequence is secure.
21 Malcolm's final campaign into Northumberland belongs to the continuing instability of the northern frontier after the Conquest.
22 Malcolm III and his son Edward were killed in 1093 near Alnwick. Their deaths destabilised the Scottish succession and exposed Margaret's children.
23 Turgot's Life of St Margaret and later Scottish tradition preserve Margaret's death shortly after Malcolm's death. Turgot is near-contemporary but hagiographical and is used with genre caution.
24 Malcolm and Margaret together made Scotland the principal royal home of Wessex continuity after 1066. Their deaths threatened that settlement.
25 The post-1093 crisis involved dynastic succession, factional interests, attitudes toward Margaret's reforming and Anglicising court, and English involvement.
26 Donald III's accession after Malcolm's death is central to the succession crisis. His rule represented an alternative to the line of Malcolm and Margaret.
27 Modern Scottish historians, including Duncan and Barrow, treat the crisis as involving competing court orientations and political interests. The phrase does not imply a simple ethnic conflict.
28 Margaret's children lost secure possession after Malcolm and Margaret's deaths. Their displacement created the need for later restoration.
29 This is the correct dynastic interpretation: the Wessex-Scottish branch was not secure automatically after 1093.
30 The succession dispute affected the orientation of Scottish kingship, English influence, Malcolm's sons, and the northern frontier.

31 Donald's rule and the later restoration of Malcolm's sons is read as competing models of Scottish rule and external alignment.
32 Malcolm's sons by Margaret formed the branch through which Wessex descent entered the Scottish succession.
33 English influence in this context includes political support from William Rufus, the Anglicising and reforming reputation of Margaret's household, and the dynastic links between Scotland and England.
34 William Rufus's support for intervention is read strategically. A friendly king in Scotland reduced northern danger and strengthened English influence.
35 Duncan II was Malcolm's son by an earlier relationship. His intervention with Anglo-Norman support shows that English-backed restoration had already been attempted before 1097.
36 Duncan's rule was short-lived and did not resolve the succession crisis.
37 Duncan's reliance on Anglo-Norman support made his position vulnerable within Scotland.
38 Duncan II's death in 1094 allowed Donald to return to power and prolonged the crisis.
39 Donald's return shows that the first English-backed settlement had failed.
40 The later 1097 expedition is best understood against the failure of Duncan's short restoration and the continuing insecurity of Margaret's sons.
41 The younger Edgar's parentage made him both Scottish royal heir and Wessex descendant through Margaret.
42 This dynastic combination explains why his restoration mattered to the wider argument of the study.
43 The younger Edgar's accession preserved the branch of Malcolm and Margaret most closely aligned with Edgar Ætheling and English influence.
44 Edgar's reasons were familial, dynastic and political. The sources do not preserve a personal manifesto, but the kinship and political logic are clear.
45 Edgar's life had depended upon foreign protection in Scotland, Flanders, France, Normandy and beyond. That experience helps explain his role in assisting Margaret's displaced children.
46 Margaret's sons after 1093 were displaced royal heirs in need of external support, broadly echoing Edgar's own earlier condition.
47 The Conquest displaced the Wessex male royal line from England, but Margaret's descendants carried that line into Scotland.
48 Edgar's command requires explanation because William Rufus did not choose a random general; he chose a man whose kinship and experience made the expedition politically intelligible.
49 The inference is strong but remains stated as historical explanation rather than as a preserved royal commission.
50 Edgar had lived under Malcolm's protection and was Margaret's brother, giving him unusual familiarity with the Scottish court.
51 Edgar's direct kinship with the younger Edgar and Margaret's other children made him an appropriate restorer.
52 Edgar's earlier involvement in Anglo-Scottish diplomacy and his own displaced kingship made him experienced in succession politics.
53 This is central to the chapter. Edgar's kinship supplied legitimacy to English-backed intervention.
54 The 1097 expedition is one of the strongest pieces of evidence against a passive portrait of Edgar.
55 Even where the source narrative is compressed, successful military intervention required organisation and royal confidence.
56 The Chronicle's result-focused account supports Edgar as operational leader, though it does not preserve the tactical details of his command.
57 This is the primary source foundation for the campaign.
58 The Chronicle records the expulsion or displacement of Donald as the campaign's immediate result.
59 The installation of the younger Edgar is the decisive dynastic result.
60 The source does not supply detailed itinerary, battle narrative, campaign duration or full composition of the force.
61 The result is secure even where campaign details are not: Donald's regime was displaced and the younger Edgar became king.
62 Donald's displacement ended the hostile regime that had excluded Margaret's sons.
63 The restored king's accession is the chapter's central dynastic outcome.
64 This limitation prevents military reconstruction beyond the evidence.
65 Donald's precise fate after displacement is not the central proof. The safe conclusion is removal from effective kingship.
66 This is the correct evidential grade: secure result, limited tactical detail.
67 The relationship between the restored Scottish king and William Rufus is best described cautiously. Later terminology of homage or subordination can mislead if made absolute.
68 Medieval kings could owe obligations, perform homage for lands, accept assistance or recognise superiority in particular contexts without extinguishing the separate identity of the kingdom.
69 English narrative framing may present the campaign through English royal superiority. Scottish political realities must also be considered.
70 Obligations to English kings often concerned specific lands, peace terms or political settlement. They does not amount to modern sovereignty language.
71 This formulation preserves the distinction between medieval superiority claims and modern annexation or complete subjection.
72 The restored king's accession depended upon English-backed military intervention under Edgar Ætheling.
73 William Rufus gained a more favourable Scottish regime through the 1097 settlement.

74 Donald's regime had presented a less favourable political orientation from the English perspective.
75 This is the chapter's governing interpretation of the expedition: family restoration and English policy were aligned.
76 The younger Edgar's restoration protected the family group from which his brothers Alexander I and David I later emerged as kings.
77 David I, son of Malcolm and Margaret, later became a principal dynastic bridge through whom Wessex descent spread into Scottish royal, Anglo-Norman and later collateral lines.
78 Later chapters examine David's descendants as part of the conditional inquiry into descent, royal direction and non-sovereign branches. That inquiry does not treat Scottish royal succession as automatically governing an English dignity.
79 This is a fair historical inference from the displacement of Donald and the preservation of Malcolm and Margaret's line.
80 The restoration stabilised a branch that later affected Scottish and English monarchy.
81 Margaret's descendants later entered English royal history most prominently through Edith-Matilda's marriage to Henry I.
82 Eadmer, Historia Novorum, is important for Edith-Matilda's religious-profession controversy and marriage to Henry I. C. Warren Hollister, Henry I, treats the dynastic and legitimising significance of the marriage.
83 The marriage of Henry I and Matilda of Scotland joined Norman kingship to Wessex descent through Margaret.
84 The Scottish restoration preserved Margaret's sons; the 1100 marriage carried Margaret's daughter into the English monarchy. Together they redirected Wessex descent into both kingdoms.
85 Edgar's own English kingship was not restored. The dynastic result worked through Margaret's children.
86 This sentence remains as a key synthesis of Chapter 15.
87 Edgar's 1097 command strongly supports continuing public consequence and high aristocratic or princely standing.
88 The campaign is compatible with probable comital status, but does not prove it independently. Royal birth alone could explain some of Edgar's standing.
89 The Scottish campaign supplies no territorial-title evidence for Oxford.
90 Military command in 1097 does not decide whether Edgar's probable dignity survived rebellion, forfeiture, restoration, regrant or non-use.
91 Edgar's Wessex birth, Scottish kinship and experience may explain his selection without requiring proof of an operative English earldom in 1097.
92 This is the secure conclusion: the campaign proves public consequence, command capacity and dynastic relevance.
93 The Chronicle's account of command and successful installation justifies rejecting a diminished portrait.
94 Edgar's intervention changed the Scottish succession by replacing Donald with his nephew Edgar.
95 Supported by the Anglo-Saxon Chronicle, annal 1097.
96 Supported by the Chronicle's account of Donald's expulsion or removal.
97 Supported by the same annal and by Scottish historical reconstructions.
98 Dynastic restoration is shown by the nephew's installation; English strategic interest is inferred from William Rufus's support for a friendly Scottish settlement.
99 Probable. The sources do not preserve Rufus's internal reasoning, but Edgar's kinship and Scottish experience make the inference strong.
100 Probable. The restoration of the Malcolm-Margaret line materially improved the prospects of the younger brothers, who later reigned.
101 Probable. Successful royal restoration would have strengthened Edgar's reputation, though the sources do not record a formal reward.
102 The Chronicle records an army but gives no detailed muster.
103 The campaign route and battle details are not securely preserved.
104 The political relationship with William Rufus requires caution. The surviving evidence is not over-modernised.
105 Later traditions vary or require caution concerning Donald's final treatment. The safe point is displacement.
106 This refers to the 1066 sequence: Edgar was constituted king but did not secure coronation, effective possession or lasting rule.
107 The success lay in preserving Margaret's children and the Wessex-Scottish branch.
108 This is justified because the campaign had a decisive recorded outcome under Edgar's command.
109 Scotland after 1093 was divided by Donald's rule, Duncan's failed intervention and the displaced status of Margaret's sons.
110 Donald's regime was displaced by Edgar's expedition.
111 The younger Edgar's accession is the central result of the expedition.
112 The restoration protected at least the branch represented by the younger Edgar and created conditions in which Alexander and David could later succeed.
113 The Wessex line returned to the English monarchy through Margaret's daughter Matilda of Scotland and Henry I.
114 Edgar's designation and identity as Ætheling persisted despite his failure to regain kingship.

115 This literary formulation is supported by his command of a royal expedition within the policies of William Rufus and the Scottish succession.

116 This is a justified concluding image: Edgar’s expedition made his nephew king.

This page is intentionally left blank.

CHAPTER 16
The Eastern Expedition

The eastern traditions

Edgar Ætheling's eastern expedition belongs among the most remarkable and most disputed episodes of his career[1]. One tradition associates him with an English fleet supporting the First Crusade before Antioch in 1098[2]. Another records a later pilgrimage to Jerusalem[3] followed by honourable receptions at Constantinople and the German imperial court[4].

The accounts may describe two journeys or different memories of one extended expedition[5]. What can be established with confidence is that Edgar travelled to the eastern Mediterranean and returned through imperial courts[6]. His standing remained sufficient for emperors to receive him as a prince and offer honourable employment[7].

The First Crusade and Robert Curthose[8]

Robert Curthose joined the First Crusade[9]. Edgar's long association with Robert created a natural route into the crusading world[10], although no surviving record proves that Edgar travelled with the duke's land army[11]. An eastern departure after the Scottish restoration is chronologically possible[12].

The crusade brought together princes whose motives combined devotion, penitence, dynastic ambition and military culture[13]. Edgar's own career had prepared him for precisely such an international aristocratic environment[14].

The English maritime tradition [15]

Orderic Vitalis associated Edgar with an English fleet in the eastern Mediterranean[16]. English migration into Byzantine service after 1066 is well attested[17], and Constantinople offered opportunity to warriors displaced by Norman rule[18]. An English force operating under Byzantine authority therefore fits a wider historical movement[19].

If Edgar commanded such a force[20], the prince constituted King of the English in 1066 later led expatriate English warriors beyond the reach of the Anglo-Norman Crown[21]. The proposition is important but remains unproved by an imperial appointment or contemporary naval roll[22].

Saint Symeon and Antioch [23]

In March 1098 ships arrived at Saint Symeon carrying material needed by the crusaders before Antioch[24]. Raymond of Aguilers described an English fleet contributing to the siege[25]. Later reconstruction connected Edgar with those ships[26].

The existence of the fleet is more secure than Edgar's command[27]. Near-contemporary narratives confirm maritime support without naming him[28]. Nicholas Hooper therefore distinguished the attested English fleet from the later attribution of its leadership to Edgar[29].

Latakia [30]

Orderic's narrative has also been connected with operations near Latakia[31] and with an alleged transfer of the port to Robert Curthose[32]. The chronology and authority surrounding the town remain contested[33], and other sources do not identify Edgar securely as conqueror or governor[34].

The strongest conclusion is limited[35]: Edgar was remembered in the Anglo-Norman tradition as participating in English naval activity on the Syrian coast[36] and acting in association with Robert Curthose[37].

Pilgrimage to Jerusalem

William of Malmesbury provides firmer evidence for Edgar's pilgrimage to Jerusalem[38]. Writing close to Edgar's lifetime[39], he described the Ætheling travelling to the Holy City[40] and returning through the courts of the Byzantine and German emperors[41].

Pilgrimage carried devotional, penitential and political meaning[42]. For Edgar it may have expressed gratitude for survival, repentance after warfare or association with the crusading movement[43]. These motives need not be separated absolutely[44].

One journey or two? [45]

The difference between the 1098 maritime tradition and a later pilgrimage has produced several models[46]: two separate journeys[47,48]; one extended journey whose chronology became confused[49]; or a genuine pilgrimage to which later writers mistakenly attached command of the earlier fleet[50].

No surviving source resolves the alternatives[51]. Repeated eastern travel would not be inconsistent with Edgar's mobility[52], but silence prevents certainty[53].

Constantinople and Alexios I [54]

William of Malmesbury stated that the Byzantine emperor received Edgar honourably[55], gave him rich gifts[56] and offered him an honourable position[57]. The emperor was Alexios I Komnenos[58]. Englishmen in the Varangian Guard[59] and Edgar's recognised royal ancestry supplied a receptive context[60].

The precise office offered is not recorded[61]. It may have involved military command, court dignity or landed maintenance[62]. Edgar declined and continued westward[63].

The German emperor [64]

Edgar was also received by Henry IV[65]. The parallel imperial receptions may have been arranged rhetorically by William of Malmesbury[66], yet they preserve the memory of international rank[67]. A minor exile would not ordinarily be represented as receiving offers from two emperors[68].

Edgar again declined permanent settlement[69]. His western family connections, Robert Curthose and the unresolved Anglo-Norman succession remained more important than a foreign court career[70].

Crusader or pilgrim? [71]

The title "crusader" must be used carefully.[72] If Edgar commanded the English fleet before Antioch under a crusading vow, the description is justified[73]. If the secure journey was a later pilgrimage, it may overstate his military role[74].

The evidence supports the conclusion that Edgar was certainly remembered as an eastern pilgrim and probably associated with the military world of the First Crusade; his personal command of the English fleet remains plausible but unproved.[757677]

Implications for character and status [78]

The expedition challenges the traditional image of indolence[79]. Travel to Jerusalem and through imperial courts required resources, endurance and international recognition[80]. Edgar may have failed to establish a kingdom[81], but he did not live an inactive princely life[82].

The episode does not identify him as Earl of Oxford[83]. It strengthens the broader case that he retained high aristocratic and royal rank long after the first settlement[84].

Historical findings

Secure or strongly supported: Edgar travelled to Jerusalem[85]; he returned through Constantinople and the German imperial court[86]; he received gifts and offers of honour[87]; an English fleet operated in the crusading theatre[88].

Probable: his reception reflected royal birth and international reputation[89]; the journey combined devotional and political dimensions[90]; his relationship with Robert Curthose contributed to his eastern involvement[91].

Possible but unresolved: command at Saint Symeon[92]; direct participation at Antioch[93]; capture or government of Latakia[94]; service in the Varangian Guard[95]; two separate journeys.

Chapter conclusion

Edgar reached the sacred and imperial centres of Christendom[96]. The surviving traditions differ in chronology and emphasis[97], but together they preserve a prince active beyond the north-western European world[98].

He had not recovered his English Crown[99]. He had become a displaced king recognised across Christendom[100], able to enter imperial courts while retaining allegiance to no permanent foreign master[101]. His return brought him back into the final struggle between Robert Curthose and Henry I[102].

Chapter 16 endnotes

1 For Edgar's eastern traditions, see Raymond of Aguilers, Historia Francorum qui ceperunt Iherusalem, for the English fleet before Antioch; Orderic Vitalis, Ecclesiastical History, for Edgar's association with English naval activity; William of Malmesbury, Gesta Regum Anglorum, for the pilgrimage to Jerusalem and imperial receptions; and Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985), for modern critical treatment of the competing traditions.
2 The English fleet before Antioch is better attested than Edgar's command of it. Raymond of Aguilers records English maritime assistance to the crusaders; the attribution of command to Edgar depends upon later or separate tradition and is treated cautiously.
3 The pilgrimage evidence is firmer than the command-at-Antioch tradition because William of Malmesbury gives a direct account of Edgar's journey to Jerusalem and return through imperial courts.
4 William of Malmesbury supplies the firmer pilgrimage-and-imperial-reception tradition. His account places Edgar in the sacred and imperial geography of Christendom rather than merely in the north-western European political field.
5 The two-journey and one-journey models remain unresolved. The sources do not allow the maritime tradition, pilgrimage tradition and imperial reception tradition to be arranged with complete certainty.
6 The journey to Jerusalem and return through Constantinople and the German imperial court are the firmest elements of the eastern material, resting principally on William of Malmesbury.
7 William of Malmesbury's account of imperial receptions and offers indicates that Edgar retained recognisable princely rank long after 1066. The account does not identify him as Earl of Oxford or define any English dignity.
8 Robert Curthose's participation in the First Crusade provides an important contextual route into the crusading world, but it does not prove that Edgar accompanied Robert's land army.
9 Robert Curthose's crusading participation is well established in the narrative sources for the First Crusade and in modern scholarship on Robert's career.
10 Edgar had been associated with Robert as counsellor and beneficiary of Norman grants after William I's death. That association makes crusading contact plausible.
11 The absence of a source naming Edgar in Robert's land army prevents certainty. Edgar cannot be inserted into Robert's crusading contingent without explicit support.
12 Edgar's 1097 Scottish success leaves a plausible chronological window for eastern travel connected with the First Crusade, but chronology alone does not prove participation.
13 The First Crusade cannot be reduced to one motive. Aristocratic crusading combined piety, penance, honour, martial opportunity, dynastic politics and lordship concerns.
14 Edgar's previous movements through England, Scotland, Flanders, France, Normandy and Apulia make his later entry into crusading or pilgrimage networks historically credible.
15 The English maritime material requires special caution because an English fleet can be established more securely than Edgar's command of it.
16 Orderic Vitalis preserves the principal Anglo-Norman association between Edgar and English naval activity in the eastern Mediterranean. Orderic is later than the events and is read alongside Raymond of Aguilers and Hooper's critical discussion.
17 English movement into Byzantine service after the Norman Conquest provides a wider context for English warriors in the eastern Mediterranean and at Constantinople. The context makes Edgar's association plausible but does not prove command or service.
18 The Byzantine court and the Varangian Guard are relevant background for displaced English military men after 1066. The chapter does not thereby prove that Edgar himself served in the Guard.
19 The proposition is contextual. It explains why an English fleet or English force in the eastern Mediterranean is historically plausible.
20 "If" is essential. Edgar's command remains plausible but unproved by an imperial appointment, naval roll, roster or contemporary command notice.
21 This would be historically significant if proved, because it would show Edgar exercising leadership over displaced Englishmen in an imperial and crusading context. The chapter states the proposition conditionally.
22 No surviving Byzantine or crusading administrative record presently names Edgar as admiral, fleet commander, governor, imperial officer or Varangian commander.
23 Saint Symeon was the port serving Antioch during the siege. The arrival of ships there in 1098 was materially important to the crusaders.
24 Raymond of Aguilers records maritime assistance at Saint Symeon in the Antioch campaign. The arrival of ships is a stronger fact than Edgar's personal role.
25 Raymond's testimony supports the presence or activity of an English maritime force. It does not name Edgar as commander.
26 The connection between Edgar and the fleet belongs to later reconstruction or the Orderic-associated tradition. It is not treated as Raymond's own statement unless the wording directly supports it.
27 This is the governing evidential distinction for Saint Symeon and Antioch.
28 The silence of near-contemporary crusade narratives concerning Edgar's command is a significant caution.
29 Hooper's treatment is important because it preserves both facts: an English fleet is real in the crusading evidence; Edgar's command remains uncertain.

30 Latakia is a further high-risk element because later narratives and reconstructions may connect Edgar with operations there, but the source base is not decisive.
31 Orderic's account has been read as involving English naval action and the Syrian coast, but the precise geography and chronology require caution.
32 The claim that Latakia or a related coastal position was transferred to Robert Curthose is part of the contested eastern tradition. It is not treated as settled administrative fact.
33 The sources do not provide a simple continuous account of Edgar conquering, governing or transferring Latakia.
34 The lack of independent confirmation is a major limitation. Edgar may have been remembered in the context of English naval activity, but not securely as governor.
35 The limitation is deliberate and remains material.
36 This is the safe positive conclusion from the Orderic-associated tradition.
37 Edgar's Robert connection makes association plausible and is consistent with his earlier counsellor role, but it does not prove that Robert and Edgar served together in a specified eastern operation.
38 William of Malmesbury, Gesta Regum Anglorum, is the central source for the pilgrimage, imperial gifts and offers of employment.
39 William of Malmesbury wrote within living memory of Edgar's later life. His proximity gives weight to the pilgrimage tradition, though he remains a literary historian rather than a documentary itinerary.
40 The "Holy City" is Jerusalem. The pilgrimage belongs to Edgar's later aristocratic and devotional life.
41 The return through imperial courts is a major indication of Edgar's international standing.
42 Medieval aristocratic pilgrimage often combined religious devotion with honour, diplomacy, penance and political display.
43 These motives are plausible but not individually recorded in Edgar's own words.
44 Devotion, penitence, aristocratic honour and crusading culture could coexist in a single journey.
45 This is one of the principal unresolved chronological questions in the chapter.
46 The source problem arises because Raymond and Orderic point toward crusading maritime activity, while William of Malmesbury supplies a pilgrimage and imperial reception narrative that may belong later.
47 Two journeys would allow Edgar to be associated with the 1098 fleet and also with a later pilgrimage to Jerusalem.
48 Possible but unresolved. The sources can be harmonised that way, but they do not require it.
49 A single extended eastern journey could have generated different memories in different source traditions.
50 This sceptical model accepts William of Malmesbury's pilgrimage but treats the command-at-fleet tradition as later conflation.
51 This is the correct conclusion. The evidence does not support one forced itinerary.
52 Edgar's previous career demonstrates remarkable mobility across England, Scotland, Flanders, France, Normandy and Apulia, so repeated eastern travel is possible.
53 Possibility cannot replace source evidence. The chapter leaves the question open.
54 Constantinople was the principal imperial and military centre of the Byzantine world and a plausible destination for a high-ranking western pilgrim or displaced prince.
55 William of Malmesbury is the authority for the honourable Byzantine reception.
56 The gifts signify honour and recognition. They do not establish a formal office or permanent service.
57 William of Malmesbury's account supports an offer, but the nature of the offered position is not specified.
58 Alexios I Komnenos was the Byzantine emperor during the relevant period of the First Crusade and its aftermath.
59 The Varangian and English military context at Constantinople explains why Edgar's presence there would be intelligible. It does not prove that Edgar served in the Guard.
60 Edgar's royal ancestry made him an unusually distinguished English visitor and explains the honour shown to him in William of Malmesbury's account.
61 This limitation is essential. The offer does not establish a specific command, governorship, pension, land grant or Varangian office.
62 These are interpretive possibilities only.
63 William of Malmesbury's account implies that Edgar did not settle permanently in Byzantine service.
64 William of Malmesbury also reports reception by the German emperor, creating a parallel imperial-recognition sequence.
65 Henry IV was the German emperor relevant to William of Malmesbury's account.
66 This literary caution is necessary because William's paired imperial receptions may be shaped to emphasise Edgar's status across Christendom.
67 Even if rhetorically arranged, the story would be unintelligible unless Edgar was remembered as a prince of sufficient rank to be received honourably.
68 The sentence is interpretive but justified by the status logic of the account.
69 Edgar's refusal of permanent foreign employment fits the wider pattern of maintaining independence from any permanent foreign master.
70 This is an inference from Edgar's later return to the Robert Curthose / Henry I conflict. The source does not preserve Edgar's private reasoning.
71 The terminology matters because "crusader" may imply vowed military participation in the First Crusade, while "pilgrim" is more securely supported by William of Malmesbury.

72 "Crusader" is justified only if the fleet command or direct First Crusade participation is accepted. The secure evidence at least establishes pilgrimage.
73 This remains conditional because Edgar's command and vow are not securely recorded.
74 A later pilgrimage would place Edgar in the crusading age but would not make him a commander at Antioch.
75 The pilgrimage tradition is the safest firm conclusion.
76 The association is probable because of Robert Curthose, the English fleet tradition, the crusading theatre and Edgar's recorded eastern travel.
77 This is the correct final grade for the command tradition.
78 This analysis connects the eastern chapter to the study's larger corrective portrait of Edgar.
79 Eastern travel, imperial reception and possible naval/crusading association contradict a picture of Edgar as merely idle after 1066.
80 The journey required practical capacity as well as rank. A poor or insignificant exile could not easily move through such courts with honour.
81 Edgar's failure to retain England after 1066 remains central, but it does not eclipse his later activity.
82 The Apulian journey, Scottish restoration, eastern travel and later Tinchebray all support this conclusion.
83 Neither Raymond, Orderic nor William of Malmesbury supplies an Oxford title formula in this context.
84 The eastern evidence supports status and recognition. It does not prove legal survival of a particular English dignity.
85 Supported principally by William of Malmesbury.
86 Supported principally by William of Malmesbury's imperial-reception narrative.
87 Supported by William of Malmesbury. The precise office or offer is not identified.
88 Supported by Raymond of Aguilers and related First Crusade evidence for maritime support near Antioch.
89 The inference follows from Edgar's Wessex identity, former constitution as king and the honour shown by imperial courts.
90 Probable. Medieval pilgrimage by princes often combined religious and political meanings.
91 Probable. Robert's crusading role and Edgar's earlier connection with him make the link plausible.
92 Possible because later tradition associates Edgar with English naval activity; unresolved because Raymond does not name him.
93 Possible but unproved. English ships contributed to the Antioch theatre, but Edgar's personal presence is not securely recorded by the near-contemporary crusade sources.
94 Possible but unresolved. The Latakia material remains too contested to support a firm statement of conquest or governorship.
95 Possible as context but unproved. English service in Byzantium is well attested; Edgar's personal enlistment or command is not.
96 Jerusalem, Constantinople and the German imperial court justify this conclusion.
97 This is why the chapter cannot give one certain itinerary covering every eastern claim.
98 The combined traditions demonstrate Edgar's reach beyond England, Scotland, Normandy, Flanders, France and Apulia.
99 The eastern journey did not restore Edgar's kingship or place him back in possession of England.
100 This is a historical characterisation based on his former constitution as king, royal ancestry, pilgrimage and imperial receptions. It remains interpretive rather than an official style used in every source.
101 Edgar's refusal of permanent imperial employment supports this formulation.
102 The eastern episode leads into the final Anglo-Norman struggle treated in Chapter 17, including Henry I, Robert Curthose and Tinchebray.

CHAPTER 17
Henry I, Tinchebray and the Final Years

The succession of 1100

William Rufus died in the New Forest in August 1100[1]. Henry moved rapidly to secure the treasury and Crown before Robert Curthose could return[2]. The episode again demonstrated that hereditary proximity did not operate alone[3]: presence, recognition, coronation and control made a claim effective[4].
Henry's coronation charter promised correction of abuses and restoration of lawful custom[5]. His marriage to Edgar's niece Edith of Scotland, renamed Matilda, joined the Norman ruling house with the surviving Wessex bloodline[6].

Queen Matilda and dynastic incorporation [7]

Matilda was the daughter of Malcolm III and Queen Margaret[8]. Her marriage to Henry connected the king directly with the house displaced in 1066[9]. Edgar had no Crown to bestow[10], but his survival gave the ancestry a living public representative[11].

Their children, the Empress Matilda and William Ætheling, descended from William the Conqueror and Edmund Ironside[12]. The use of Ætheling for William carried particular symbolic resonance[13].

Robert Curthose's challenge [14]

Robert returned from crusade with martial prestige[15] and a strong hereditary argument as William I's eldest surviving son[16]. In 1101 he invaded England[17], but the brothers reached the Treaty of Alton[18]. The settlement recognised Henry as king while compensating Robert and protecting some ducal adherents[19].
Edgar's precise role in the invasion is not securely recorded[20], but his later presence at Tinchebray[21] confirms continuing loyalty to Robert[22]. Personal grant, friendship and sympathy with the elder brother's claim all provide plausible motives.

Henry's consolidation and the Norman war

Henry strengthened royal finance and acted against magnates whose cross-Channel power threatened him. Norman disorder allowed him to present intervention as restoration of peace. Campaigns in 1105 and 1106 brought the brothers toward decisive confrontation.

Edgar remained with Robert. His presence demonstrates that loyalty passed beyond advice into personal military commitment.

Tinchebray

Henry besieged Tinchebray[23], compelling Robert to attempt relief[24]. The battle on 28 September 1106 ended the divided inheritance created in 1087[25]. Henry's victory brought Normandy under the English king and destroyed Robert's independent government[26].

Robert Curthose, William of Mortain and Edgar were captured[27]. Chroniclers named Edgar among the distinguished prisoners[28], although his exact command is not preserved[29].

Different treatment of the captives [30]

Robert remained imprisoned for the rest of his life[31] because he embodied a continuing territorial claim[32] and was father of William Clito[33]. William of Mortain likewise possessed a territorial following and remained dangerous[34].
Edgar was released[35]. The difference arose not from lack of rank but from altered political resources[36]. He retained royal blood and prestige[37] but no independent principality capable of organising another conquest[38].

Henry's pardon [39]

No detailed written pardon survives[40]. Henry had several reasons for clemency[41]: Edgar was Queen Matilda's uncle[42]; severe punishment would injure the dynastic reconciliation[43]; Edgar's age and lack of territorial power reduced the danger[44]; and mercy displayed royal security[45].

Queen Matilda may have interceded[46], but no source states that she secured the release[47]. Henry possessed independent political reasons to pardon him[48].

Retirement and residence [49]

After 1106 Edgar ceased to lead major rebellion[50]. William of Malmesbury described him as growing old quietly in the country[51]. "Privacy" was relative:[52] a former king and international commander could be described as private while retaining household, land and local standing[53].

Barkway, Hormead and Scottish residence have been proposed[54], but no charter securely identifies his final home[55]. His precise death date and burial place remain unknown[56].

The White Ship and the Empress Matilda [57]

The death of William Ætheling in the White Ship in 1120 destroyed the expected male succession uniting Norman and Wessex descent[58]. If Edgar was still alive, the loss affected his immediate family profoundly[59].

Henry's surviving legitimate child, the Empress Matilda, later became claimant to the Crown[60]. Her descent again demonstrated female transmission of dynastic legitimacy[61], though it did not by itself prove the descent of every dignity[62].

Marriage and issue [63]

No secure contemporary evidence identifies Edgar's wife or lawful child[64]. Documentary silence supports caution but not categorical childlessness[65]. The chroniclers did not provide a complete domestic biography[66].

The later collateral inquiry must therefore proceed conditionally[67]: only after credible evidence of Edgar's own lawful issue is excluded can Christina and Margaret become the principal directions[68]. Sir Bernard Burke & John Burke (1848, p261) in their publication, "Royal Families of England, Scotland, and Wales," makes Edgar dead, without issue.

Death date and burial [69]

William of Malmesbury's work indicates survival into the 1120s. The cautious biographical form is "after 1125". A narrower year is inferential rather than documented.[70][71][72]

No accepted tomb or obituary establishes the burial place[73]. The absence contributed to Edgar's disappearance from popular memory[74] but does not imply burial without honour[75].

Implications for the probable earldom [76]

Tinchebray is a second possible point of dispossession or forfeiture[77]. No surviving record states that Henry permanently forfeited an Earldom of Oxford[78], and no record expressly restores one[79].

Pardon of the person, restoration of land and survival of dignity must be analysed separately[80]. Neither automatic restoration nor automatic extinction follows from the surviving narrative[81].

Historical findings [82]

Secure or strongly supported: Henry I seized the Crown in 1100[83]; married Matilda of Scotland[84]; Edgar remained associated with Robert[85]; fought at Tinchebray[86]; was captured and released[87]; survived into old age[88]; death date, burial, wife and issue remain unproved [89:

- Probable: kinship with Queen Matilda contributed to clemency[90]; Henry regarded Edgar as less dangerous than Robert[91]; Edgar retained material support in retirement[92].

- Possible but unresolved: Matilda's formal intercession[93]; restoration of estates[94]; residence at particular English manors or in Scotland[95]; marriage or undocumented issue[96]; legal survival of Oxford after 1106[97].

Chapter conclusion

Tinchebray ended Edgar's active participation in the wars created by William I's succession[98]. Robert lost Normandy and liberty[99]. Edgar was pardoned because incorporation had succeeded[100].

He lived to see the dynasty that displaced him claim legitimacy through descent from his own house[101]. The Crown he lost was not recovered in his person[102]. Its bloodline survived through his family[103]. The historical narrative therefore ends with unresolved continuity rather than a documented legal extinction[104].

Chapter 17 endnotes

1 For William Rufus's death and Henry I's rapid seizure of the Crown, see the Anglo-Saxon Chronicle, Orderic Vitalis, William of Malmesbury, Eadmer and C. Warren Hollister, Henry I. The episode demonstrates the continuing importance of presence, speed, recognition and control in royal succession.
2 Henry's seizure of the royal treasury and coronation before Robert's return is central to the succession crisis of 1100. Robert was William I's eldest surviving son, but absence from England and Henry's speed altered the political outcome.
3 The 1100 succession illustrates a theme already visible in 1066: hereditary claim required recognition, presence, coronation, armed support and control of political centres.
4 This formulation does not deny hereditary right. It states that medieval kingship became effective through public action and institutional acceptance as well as blood.
5 Henry I's coronation charter is a major constitutional document of the reign. It promised reform and restoration of lawful customs in order to legitimise his rapid accession and distinguish his rule from perceived abuses under William Rufus.
6 Eadmer, Historia Novorum, is central for the controversy over Edith-Matilda's upbringing at Romsey and Wilton and the question whether she had professed religious life. Her marriage to Henry I in 1100 joined the Norman royal line with descent from Edmund Ironside through Margaret of Scotland.
7 This analysis remains relevant because Matilda's marriage is one of the most important dynastic consequences of Edgar's survival and Margaret's Scottish marriage.
8 Matilda of Scotland, originally Edith, was the daughter of Malcolm III and Margaret, and therefore niece of Edgar Ætheling.
9 The marriage provided Henry I with a dynastic connection to the pre-Conquest royal house and helped reconcile Norman kingship with Wessex legitimacy.
10 Edgar did not act as king in 1100 and had no operative Crown to grant. His importance lay in ancestry, memory, kinship and living representation of the displaced Wessex house.
11 Edgar's survival into Henry I's reign meant that the Wessex ancestry being incorporated into Henry's marriage was not merely remote genealogy. It remained represented by the living brother of Margaret.
12 Henry I and Matilda of Scotland's children united descent from William I and Edmund Ironside. This dynastic union became central after the death of William Ætheling in 1120 and the later succession dispute involving the Empress Matilda.
13 The form "William Ætheling" or "William Adelin" reflects the Old English royal term transmitted into Anglo-Norman usage. Its use for Henry I's son was symbolically powerful because he united Norman and Wessex descent. It does not imply that Edgar's own kingship or alleged dignity was legally restored.
14 For Robert Curthose's challenge to Henry I, see Orderic Vitalis; Charles Wendell David, Robert Curthose, Duke of Normandy; William M. Aird, Robert Curthose, Duke of Normandy c.1050–1134; and Hollister, Henry I.
15 Robert Curthose returned from the First Crusade with enhanced military and religious prestige, though his absence in 1100 had enabled Henry to seize England.
16 Robert's hereditary argument rested upon seniority as William I's eldest surviving son. It did not automatically defeat Henry's possession, coronation and control of England.
17 Robert's 1101 invasion was the first major challenge to Henry I's kingship after the coronation settlement.
18 The Treaty of Alton recognised Henry's kingship in England while compensating Robert and addressing the position of some of Robert's supporters. Its details are known through narrative sources and later historical reconstruction.
19 The treaty was a political compromise. It did not settle the deeper instability created by the divided inheritance of England and Normandy.
20 The sources do not securely place Edgar in a defined command role during the 1101 invasion. His later presence at Tinchebray confirms continued loyalty to Robert, but is not read backwards into a detailed 1101 role.
21 Tinchebray is the decisive military event in the conflict between Henry I and Robert Curthose. It ended Robert's independent rule in Normandy and brought the duchy under Henry's control.
22 Orderic's Tinchebray narrative names Edgar among the distinguished captives, showing that Edgar remained attached to Robert's cause by 1106.
23 Henry's siege of Tinchebray forced Robert to attempt relief and produced the battle of 28 September 1106.
24 Robert's attempt to relieve the siege brought his forces into open battle with Henry, creating the conditions for his defeat and capture.
25 The Battle of Tinchebray occurred on 28 September 1106. It reversed the division created by William I's death in 1087 by placing Normandy under Henry I's control.
26 Henry's victory made him ruler of both England and Normandy. Robert's political career as independent duke effectively ended with his capture.
27 Orderic Vitalis names Robert Curthose, William of Mortain and Edgar among the important captives at Tinchebray. Edgar's inclusion in that company confirms his high standing and continued association with Robert.
28 Edgar's naming among distinguished captives is significant because chroniclers did not treat him as an anonymous or minor follower.
29 The sources do not record whether Edgar commanded a contingent, advised Robert, fought in Robert's household, or served in another defined capacity at Tinchebray.

30 The different treatment of Robert, William of Mortain and Edgar is one of the chapter's central interpretive points.
31 Robert remained in captivity after Tinchebray because he embodied a continuing claim to Normandy and remained a potential focus for opposition to Henry.
32 Robert's danger lay not simply in personal rank but in the active territorial claim and following attached to his ducal identity.
33 William Clito, Robert's son, preserved the ducal line's claim and later became a focus of opposition to Henry. Robert's continued imprisonment is read in that dynastic context.
34 William of Mortain's lands and political associations made him a continuing danger after Tinchebray. His treatment differs from Edgar's because his territorial resources were more immediately threatening.
35 Edgar's release is one of the most important facts of his final phase. It shows that Henry did not treat him as equivalent to Robert Curthose or William of Mortain.
36 Edgar's release is not read as proof of insignificance. It more likely reflects Henry's judgment that Edgar's royal prestige no longer carried the same active territorial threat.
37 Edgar remained the Ætheling, Margaret's brother and Queen Matilda's uncle. His royal blood still mattered even after his power to organise restoration had diminished.
38 By 1106 Edgar did not possess a Normandy-like principality, an English regional command, or a foreign-backed restoration army. That reduced the political cost of releasing him.
39 Henry's release of Edgar is best understood as political pardon or clemency, not as proof that all earlier lands, offices or dignities were restored.
40 No surviving pardon instrument sets out the terms upon which Henry released Edgar after Tinchebray.
41 The reasons listed in the chapter are historically plausible inferences from kinship, policy and comparative treatment of captives; they are not clauses from a surviving pardon.
42 Edgar's kinship with Queen Matilda gave Henry a dynastic reason to avoid harsh treatment. Severe punishment of Edgar could have injured the reconciliation Henry's marriage had achieved.
43 Henry's marriage to Matilda of Scotland had incorporated Wessex descent into the Norman monarchy. Punishing Matilda's uncle too severely would have undermined that symbolic settlement.
44 Edgar was by then an older man by medieval political standards and lacked a secure territorial base. This made him less dangerous than Robert Curthose or William of Mortain.
45 Royal clemency could demonstrate confidence and authority. Henry could afford to pardon Edgar because Edgar no longer posed the same structural danger.
46 Matilda's intercession is plausible because Edgar was her maternal uncle and because queens could act as intercessors. No source presently states that she secured the release.
47 This limitation remains visible. Family plausibility cannot become documented intercession.
48 Even without Matilda's direct intervention, Henry had reasons to release Edgar: kinship diplomacy, reduced danger, and contrast with the more threatening captives.
49 This analysis is treated cautiously because the sources give only a general picture of Edgar's later quiet life.
50 After Tinchebray no source records Edgar leading another major rebellion or restoration campaign.
51 William of Malmesbury, Gesta Regum Anglorum, is the principal source for Edgar's quiet old age in the country.
52 A former king, royal prince, international traveller, military commander and queen's uncle could be described as private while still retaining household, land and local status.
53 The phrase prevents "retirement" from being misread as poverty, insignificance or social disappearance.
54 Barkway, Hormead and possible Scottish residence belong to later reconstruction of Edgar's final years. None presently rests upon a secure final-residence charter.
55 The final residence remains unresolved. No final residence at Barkway, Hormead, in Scotland or elsewhere is established as certain.
56 No secure obituary, tomb, charter, burial record or chronicle entry fixes Edgar's precise death date or burial place.
57 The White Ship disaster of 1120 reshaped Henry I's succession and made the Wessex-Norman dynastic union through Matilda's children even more politically charged.
58 William Ætheling / William Adelin, son of Henry I and Matilda of Scotland, died in the White Ship disaster of 1120. His death destroyed the expected male line combining Norman and Wessex descent.
59 Edgar's survival into or beyond the 1120s makes it plausible that he lived to see or learn of the disaster, but the emotional effect is inferred and not recorded in his own words.
60 After William Ætheling's death, Henry I's surviving legitimate child, Matilda, became central to the succession arrangements that later produced the conflict known as the Anarchy.
61 The Empress Matilda's claim demonstrates that royal legitimacy could transmit through women in dynastic politics. This does not automatically decide the descent of an earldom or other dignity.
62 This limitation is essential. Royal descent and title descent are not identical.
63 This analysis supplies a major control for later collateral analysis.
64 No securely accepted contemporary source presently identifies a lawful wife or legitimate child of Edgar Ætheling.
65 The absence of known wife or issue justifies proceeding cautiously. It does not justify an absolute statement that Edgar was certainly childless.

66 Medieval chroniclers often recorded public acts, warfare, travel and succession crises while omitting domestic details unless dynastically consequential.
67 Collateral descent through Christina or Margaret becomes relevant only after Edgar's own lawful issue is absent, unproved or excluded on the available evidence.
68 This is the correct logical sequence. Christina is audited before the inquiry proceeds through Margaret as the principal recoverable collateral line.
69 Edgar's death and burial remain cautiously stated because the evidence does not provide a precise date or secure location.
70 William of Malmesbury's description of Edgar's old age and later quiet life supports survival well beyond the early twelfth-century crises.
71 The form "after 1125" is the cautious biographical dating supported by the surviving evidence; a narrower date is not presently established.
72 Later proposed death dates remain inferential unless tied to a secure record. Tradition or inference alone does not establish a documented death year.
73 No accepted tomb, obituary, monastery record or archaeological identification presently establishes Edgar's burial place.
74 Lack of tomb, cult, active descendants or clear burial tradition helps explain Edgar's relative disappearance from popular memory.
75 Absence of a known burial place does not prove dishonourable burial or poverty.
76 This analysis remains analytical and restrained. Tinchebray affects the legal inquiry but does not decide it.
77 If Edgar's probable dignity survived the first rebellion and later reconciliation, his capture at Tinchebray created another possible occasion for dispossession, forfeiture or alteration.
78 This is the chapter's most important legal restraint. No express act of permanent forfeiture has been identified.
79 The same evidential restraint works in both directions: absence of forfeiture does not prove survival, and absence of restoration does not prove extinction.
80 This distinction governs the later legal chapters. Henry's release of Edgar proves personal pardon or clemency more strongly than it proves restoration of property or survival of a dignity.
81 This is the correct final posture. Tinchebray creates a problem to be analysed, not a solution.
82 The chapter's historical findings remains graded because several propositions are secure, while others are probable or unresolved.
83 Secure or strongly supported by the succession narratives and modern scholarship.
84 Secure; the marriage is one of the central acts by which Henry I incorporated Wessex descent into Norman kingship.
85 Secure or strongly supported by Orderic's testimony concerning Edgar's role in Robert's circle and his capture at Tinchebray.
86 Edgar's presence among the captured party supports his participation on Robert's side. The exact command role is not preserved.
87 Secure or strongly supported by the Tinchebray narrative and later accounts of Edgar's survival.
88 Supported by William of Malmesbury and Hooper's reconstruction of Edgar's later life.
89 These remain unresolved because no secure source identifies them conclusively.
90 Probable. The kinship is secure, and the political value of dynastic reconciliation makes the inference strong; direct intercession remains unproved.
91 Probable. Henry imprisoned Robert but released Edgar, indicating a different assessment of political danger.
92 Probable. William of Malmesbury's quiet-country-old-age picture implies some material basis for household or residence, though not a complete estate schedule.
93 Possible but unresolved. No source securely states that Queen Matilda obtained Edgar's release.
94 Possible but unresolved. Edgar's later support may involve estates, but no act restoring particular lands is preserved.
95 Possible but unresolved. Barkway, Hormead and Scottish residence remains proposals, not facts.
96 Possible but unproved. The evidence does not categorically deny issue beyond what it supports.
97 Possible but unresolved. No record proves permanent forfeiture, restoration, survival or extinction after Tinchebray.
98 This is a fair historical conclusion. Edgar's later life does not show another major military role in the succession wars.
99 Robert's capture at Tinchebray ended his effective political liberty and independent rule of Normandy.
100 This is an interpretation of Henry's differential treatment: Edgar could now be safely incorporated within the dynastic order that had married his niece into the Crown.
101 Henry I and Matilda of Scotland's marriage, and their children, made Wessex descent part of the Norman royal claim.
102 Edgar never regained operative kingship in England after 1066.
103 The Wessex bloodline survived through Margaret's descendants, especially Matilda of Scotland and her children.
104 This is the chapter's final synthesis. The evidence shows dynastic continuity, personal survival and political incorporation; it does not document final extinction of the alleged dignity.

PART V — THE LEGAL NATURE OF THE DIGNITY

This page is intentionally left blank.

CHAPTER 18
Creation Before Letters Patent

The danger of anachronism

The absence of surviving letters patent does not determine whether William I created or confirmed Edgar as an earl[1].[2] Letters patent became the normal formal instrument for peerage creation centuries after the Conquest[3]. A requirement belonging to later law cannot be projected backwards into 1066[4]. Lost charter.[5] The question is not whether Edgar possessed a patent.[6] It establishes the first legal-historical proposition required for the later inquiry.[7]

Edgar's proposed dignity arose in a world where earldom combined personal rank, military and administrative authority, territorial association, revenue and place within the king's order[8]. Creation depended upon what the king did publicly, not upon conformity with a fifteenth-century documentary form[9].

Earldom before and after the Conquest

The English earl developed from the ealdorman[10]. Before 1066 an earl could command forces, receive judicial revenues and govern a substantial region[11]. Family succession was common but royal acceptance remained decisive[12].

William retained and adapted the rank[13]. Edwin, Morcar and Waltheof continued temporarily[14]; Norman and Breton earls were created or recognised under varying territorial arrangements[15]. A dignity for Edgar could preserve honour while sharply limiting independent regional power[16].

The Crown as source of dignity

The harder questions now concern what kind of dignity it was, whether it was hereditary, how it related to land, and what happened to it after rebellion and reconciliation.[17] If the dignity arose after submission, it arose through William[18]. The settlement could combine homage, relinquishment of operative kingship, protection, land and comital recognition within one public transaction[19].

The precise verb remains uncertain. Harold II may have granted an earlier rank, William may have created one afresh, or William may have confirmed an existing dignity. "Created or confirmed" therefore remains the cautious formulation. Williamian confirmation.[202122232425]

Public act and substantial lands [26]

A dignity required outward expression, not private intention[27]. Words before the royal court[28], investiture[29], charter[30], assignment of revenues[31], delivery of lands[32] or sustained public treatment[33] could complete the act. William of Poitiers recorded substantial landed provision[34]. Land alone does not prove earldom[35], but in conjunction with surrendered kingship, royal birth and later comital tradition it makes a comital settlement materially credible[36].

Rank proportionate to surrendered kingship [37]

Edgar did not enter William's peace as an ordinary rebel[38]. His submission removed the last operative royal alternative supported by London and leading English magnates[39]. A minor tenancy would not reflect the constitutional importance of the settlement[40].

Comital rank offered a middle position[41]: Edgar could remain royal by blood while subordinate in office and allegiance[42]. William could display generosity and control simultaneously[43].

Charter loss and oral command [44]

Charters existed in William's reign[45], and an instrument may once have recorded the settlement[46]. Its loss prevents quotation of date, title, remainder and conditions[47]. It does not prove that no act occurred[48]. It does not prove survival.[49]

Eleventh-century government also acted through witnessed royal command and investiture[50]. Writing strengthened proof but was not the sole source of validity[51]. The dignity was effected through public settlement, land and recognition rather than later-form patent.[52]

Conduct and title references [53]

It changes the method of proof.[54] Edgar's later household, military following, place in Robert Curthose's counsel, command in Scotland and treatment at Tinchebray are compatible with continuing high rank[55]. Royal birth alone also explains much of this conduct[56], so it corroborates rather than proves creation[57].

Medieval or later references to Edgar as an earl support comital rank[58] but do not automatically prove Oxford[59]. Creation and territorial identification must be tested separately[60].

Great Chesterford [61] and Oxford [62]

If the Great Chesterford reading "Earl Edgar" refers to Edgar Ætheling, it supports landholding and comital identity.[63] The rival modern explanation substitutes Ælfgar through estate-pattern reconstruction rather than identifying another earl named Edgar[64].

Great Chesterford cannot serve as the instrument of creation[65] and does not determine Oxford[66]. It is corroborative evidence whose date and title usage require separate analysis[67].

No requirement of compact territorial identity [68]

An early earl could hold estates across several counties[69]. The territorial designation might refer to principal association, revenue or conventional title rather than a compact estate block[70]. Absence of a large Oxfordshire estate therefore weakens but does not defeat the identification[71]. The proposed dignity is more plausibly a personal royal creation supported by lands than an earldom inseparably attached to one manor[72].

Later forms: tenure, writ and patent [73]

Peerage by parliamentary writ belongs to a later institutional period[74]. Patent creation likewise cannot be demanded[75]. Early dignity by tenure is a separate possibility[76], but no identified estate has been shown to confer Oxford automatically upon its holder[77]. It does not identify a holder.[78] The later common-law presumptions attached to writs and patents illuminate categories but cannot supply Edgar's missing original terms[79].

Later tradition and Professor Licence [80]

Glover, Milles, Martyn and Hume could preserve an older tradition[81]; they could not create an eleventh-century dignity retrospectively[82]. Their value is evidential and depends upon access, independence and source transmission [83].

Professor Tom Licence's opinion that William probably made Edgar an earl is important because it separates creation from Oxford[84]. The proper sequence is first to determine probable comital creation and then test the territorial designation[85].

Balance of probabilities [86,87]

Factors favouring creation include Edgar's constituted kingship[88], the need for proportionate settlement[89], substantial lands, later comital references[90], Great Chesterford, the Oxford tradition[91] and expert assessment[92]. Against certainty stand the lost act[93], disputed title formulas[94], unclear estates[95] and absence of continuous use[96].

On the balance of probabilities, William I created or confirmed Edgar Ætheling as an earl in late 1066 or early 1067[97] as part of the settlement through which Edgar relinquished operative kingship and entered the Anglo-Norman political order[98]. The act occurred in late 1066 or early 1067.[99]

Historical findings [100]

The question is whether William, acting as king, publicly placed him in the comital order.[101] Secure or strongly supported: letters patent were not required in 1066[102]; William retained and adapted earldom[103]; Edgar received substantial lands[104]; no original instrument survives[105]. Supporting estates.[106]

Probable: the settlement publicly recognised high aristocratic rank; comital status was the most suitable accommodation; the dignity was personal rather than attached automatically to one manor.

Possible but unresolved: Haroldian creation[107]; exact place and ceremony; Great Chesterford as part of the endowment; Oxford as original designation; express hereditary limitation[108]. Formal ceremony.[109] It does not establish hereditary limitation.[110]

Chapter conclusion

The absence of letters patent does not defeat an eleventh-century dignity.[111] Creation before letters patent is historically and legally intelligible.[112]

The missing patent objection is anachronistic. The real evidential difficulty is the loss of any original constitutive act, not failure to satisfy a later form.

The political settlement, substantial landed provision and later traditions cross the threshold of probability for comital creation. Oxford remains the leading but qualified territorial identification. The missing terms leave the hereditary remainder unresolved. Exact title.[113] It does not provide the missing words of creation.[114] It does not determine Oxford conclusively.[115]

Chapter 18 endnotes

1 For the legal-historical distinction between later patent peerages and earlier dignities, see Francis Beaufort Palmer, Peerage Law in England; William Blackstone, Commentaries on the Laws of England; John Selden, Titles of Honour; and The Complete Peerage. The absence of letters patent is material to proof, but it is not a conclusive test for an eleventh-century act.
2 Probable on the cumulative evidence, especially Edgar's surrendered kingship, substantial lands, later comital language and Licence's opinion.
3 Later English peerage practice developed standardised instruments and enrolment forms long after 1066. Chapter 18 therefore treats letters patent as later evidential form, not as a necessary element of Williamian creation.
4 This is the chapter's anti-anachronism rule. Later legal categories may help analysis, but they cannot be imposed as if they governed the form of every eleventh-century dignity.
5 Possible but unproved. The absence of a surviving document may reflect loss, non-issue, suppression, disruption or later irrelevance.
6 A patent is the wrong threshold for 1066.
7 Chapter 18 supplies the gateway proposition: a pre-patent dignity could be created and Edgar was probably created or confirmed as an earl.
8 For late Anglo-Saxon and early Norman earldom as a combination of rank, office, land, revenue and regional authority, see Frank Stenton, Anglo-Saxon England; Stephen Baxter, The Earls of Mercia; Judith Green, The Aristocracy of Norman England; and The Complete Peerage for later peerage framing.
9 The existence of a dignity before later patent practice may be evidenced by public royal act, recognition, investiture, land or revenue grant, court treatment, writ, chronicle description or later record preserving earlier title usage. The note does not assert that each occurred for Edgar.
10 The office of ealdorman developed into the earldom under late Anglo-Saxon political conditions. This continuity explains why Norman kings could inherit and adapt the rank after 1066.
11 Pre-Conquest earls exercised military, judicial, fiscal and administrative authority. The exact powers varied by region and period, and is not treated as identical with later peerage rights.
12 Late Anglo-Saxon earldoms often followed powerful family patterns, but appointment and recognition depended upon royal authority and political acceptance. Hereditary tendency is distinct from an automatic later patent-style remainder.
13 William I did not abolish earldom after the Conquest. He retained some English earls temporarily, created or recognised new earls, and reshaped the office within Norman rule.
14 Edwin, Morcar and Waltheof demonstrate early continuity and later disruption in William's treatment of English comital rank. Their careers also show that retention of rank could be temporary and politically conditional.
15 Early Norman earldoms did not always operate as identical county-based peerages. They might combine honour, office, regional association, castle control, revenue and personal royal favour.
16 This is a political inference from Edgar's status after submission. A narrow or controlled comital settlement would honour Edgar while preventing restoration of a large native power base.
17 This transition correctly points to Chapters 19–24. It does not prejudge their conclusions.
18 After Edgar's submission to William, any new or continuing dignity within the Norman order required William's recognition, creation or confirmation.
19 The exact transaction is not preserved. The statement describes the kind of compound settlement that could plausibly occur when a defeated king was incorporated beneath the new ruler.
20 The uncertainty concerns whether William created a new dignity, confirmed an existing Haroldian grant, restored a dignity previously given, or recognised a status already attached to Edgar.
21 The Haroldian-grant tradition appears in later title transmission, especially through Hume's formulation. No contemporary source presently proves that Harold created Edgar Earl of Oxford.
22 This is the stronger recoverable route because it follows the documented post-Hastings settlement, Edgar's submission and William of Poitiers's statement that William enriched Edgar with substantial lands.
23 Confirmation remains possible if a Haroldian grant existed. The evidence does not presently decide this question.
24 The paired formula prevents the study from forcing a choice not recoverable from the surviving record. It also preserves the later tradition without making Harold's grant a proved fact.
25 Possible if Harold first granted the dignity. The paired "created or confirmed" formula preserves this route.
26 William of Poitiers's substantial-land statement is the strongest near-contemporary material support for Edgar's post-submission settlement.
27 A royal intention unknown to court, beneficiary, witnesses, officers or record would not be enough. The question is whether William publicly placed Edgar in the comital order.
28 Spoken royal command or public declaration could have legal and political effect in an eleventh-century court. The note supplies institutional context, not a reconstructed speech by William.
29 Investiture could express transfer of office, honour, land or dignity. Later discussions of investiture and ceremonial creation provide context, but no source presently records Edgar's personal investiture.
30 Charters existed in William's reign and could record gifts, confirmations and settlements. The absence of a surviving charter for Edgar weakens precision but does not prove that no act occurred.
31 Revenue or fiscal assignment could support rank and household. It would not by itself prove an incorporeal hereditary dignity unless connected with the dignity's creation or recognition.

32 Land delivery is directly relevant because William of Poitiers records that William enriched Edgar with substantial lands. Land supports the comital-settlement inference but does not automatically create or name an earldom.
33 Sustained public treatment may evidence rank where a formal instrument is missing. Later conduct can corroborate, but it cannot by itself supply the original title, limitation or date.
34 William of Poitiers, Gesta Guillelmi, ed. and trans. R. H. C. Davis and Marjorie Chibnall, records William's substantial landed enrichment of Edgar. This is one of the central near-contemporary supports for Edgar's post-submission settlement.
35 A substantial land grant may be made without comital dignity. Chapter 18 therefore treats land as necessary or corroborative support, not as automatic title creation.
36 The comital inference is cumulative. Its strength lies in convergence between Edgar's surrendered kingship, William's political need, landed enrichment, later comital references and Licence's expert assessment.
37 This analysis applies the political proportionality argument from Chapters 5 and 6 to legal-historical creation.
38 Edgar had been constituted King of the English after Hastings and submitted as the principal Wessex royal alternative. His status was exceptional.
39 This sentence relies upon the earlier chapters' finding that Edgar's post-Hastings kingship was real but incomplete, and that William needed his submission before the new order could be ceremonially secured.
40 The statement is an inference about scale. It does not exclude the possibility that some specific estates were modest; it argues that the settlement as a whole required visible honour.
41 Earldom allowed Edgar to retain public honour below the Crown. It translated royal defeat into aristocratic incorporation.
42 This is the central constitutional translation: Edgar's ancestry remained, but operative royal authority ceased.
43 Royal generosity and political control were not opposites. William's treatment of Edgar could advertise lawful clemency while binding a dangerous rival to the new order.
44 This analysis explains why missing documentation matters but is not dispositive.
45 Williamian government used charters and writs. Therefore, a surviving document would be powerful evidence if found, and the absence of one remains a weakness.
46 This is possible but unproved. Possible lost documentation does not constitute positive proof.
47 The missing instrument is why the chapter cannot state exact date, territorial formula, hereditary limitation or conditions of tenure with certainty.
48 Absence of the original instrument is negative evidence but not conclusive disproof, especially in a pre-patent setting.
49 Survival remains for Chapters 22–24 and Block Three.
50 Royal acts could be constituted through public command, ceremony, witness, council recognition and practical implementation as well as through writing.
51 This is a legal-historical principle. It does not reduce the burden of proof; it prevents the later documentary form from being made an absolute requirement.
52 Probable as the most appropriate legal-historical model for an eleventh-century creation.
53 This analysis treats later conduct and title usage as corroborative, not constitutive.
54 Proof must proceed through surviving historical evidence, political context, land, rank, conduct, title tradition and expert opinion.
55 Chapters 14–17 establish Edgar's high later status through the Apulian expedition, Robert Curthose, the Scottish restoration and Tinchebray. These events support continuing princely and aristocratic importance.
56 This is an important restraint. Edgar's Wessex descent, former kingship, Margaret's kinship and international reputation could explain high treatment even without an operative English earldom.
57 Later conduct supports the probability of rank; it does not independently prove the original creation.
58 Comital references are relevant to the general creation question. They require examination for date, source dependence, wording and whether they are contemporary, medieval, early-modern or later.
59 The title "earl" and the territorial designation "Oxford" are separate evidential stages. A source may support rank without identifying the territory.
60 This staged method governs the whole book: creation first, territorial identity second, hereditary character, survival and descent thereafter.
61 Great Chesterford is included only as disputed corroboration. The creation case does not depend upon the older "Earl Edgar" reading being correct.
62 Great Chesterford is relevant to comital identity and landholding only if the disputed "Earl Edgar" reading is correct. It is not the foundation of Chapter 18.
63 A secure identification of the Great Chesterford comes as Edgar Ætheling would powerfully corroborate comital rank and substantial landholding.
64 Modern Domesday prosopography generally favours Ælfgar of Mercia as the antecessor. That reading is a serious counterweight and is not suppressed.
65 Even if the older reading were correct, Domesday would record landholding or antecessorial memory, not the original constitutive act creating the dignity.
66 Great Chesterford lies outside Oxfordshire and cannot by itself establish the territorial designation Oxford. Its strongest possible value is comital and landed corroboration.
67 This is the proper final grade for Great Chesterford in Chapter 18.

68 This analysis guards against the false assumption that an eleventh-century earldom had to correspond to a compact modern county block.
69 Eleventh-century aristocratic landholding was often dispersed. Territory, dignity, office and estate need not coincide neatly.
70 This explains why lack of a large surviving Oxfordshire estate under Edgar does not automatically defeat the Oxford identification, although it remains a weakness.
71 The limitation is balanced: absence weakens the case, but territorial titles need not be proved by a complete estate block.
72 This formulation prevents the argument from making Great Chesterford, Broadwell, Barkway, Hormead or any other single estate the automatic source of title.
73 The later categories of barony or dignity by tenure, writ and patent are analytically useful but chronologically distinct.
74 Peerage by writ developed in the later medieval parliamentary context and is not retrojected into 1066 as the required form of creation.
75 Later patent practice supplies a form of proof for later dignities but cannot be required for an eleventh-century dignity before that form was normalised.
76 Dignity by tenure may illuminate the relationship between land and honour, but no identified estate has been shown to carry Edgar's alleged Oxford dignity automatically.
77 This is a key restraint. No manor, castle, honour or estate presently functions as a proved automatic source of the alleged Earldom of Oxford.
78 No modern holder is established by the Chapter 18 finding.
79 Later law may help classify possible results. It cannot invent Edgar's original limitation, date, territorial formula or conditions.
80 This analysis brings together two different source classes: early-modern title tradition and modern expert historical opinion. They remain distinct.
81 The Glover–Milles–Martyn–Hume stream is relevant to the Oxford identification. It may preserve older memory, but its source path and independence require testing.
82 Later writers can preserve or transmit evidence; they cannot make a dignity exist by recording it centuries later.
83 The value of the tradition depends upon whether it rests on lost sources, independent streams, copying, reconstruction or error.
84 Licence's opinion supports probable comital creation on historical grounds. It does not prove Oxford, hereditary limitation, survival or modern entitlement.
85 This is the staged evidential structure carried into Block Three: creation first; Oxford second; hereditary character, survival and descent later.
86 The chapter applies a historical balance-of-probabilities standard to creation, not a legal declaration of present entitlement.
87 The chapter's conclusion is probabilistic and historical.
88 Edgar's constitution as King of the English after Hastings supplies the scale of the settlement William needed to make after submission.
89 A proportionate settlement was necessary because Edgar relinquished operative kingship and remained a dangerous Wessex royal alternative.
90 Later comital references support rank but is weighed according to date, wording and source dependence.
91 The Oxford tradition supports territorial identification more than general rank. It cannot be used circularly to prove the creation unless the creation case also stands independently.
92 Professor Licence's expert opinion is a major modern support for the probable comital creation finding, but it remains historical opinion and not legal adjudication.
93 The missing constitutive act prevents categorical proof and exact legal reconstruction.
94 The surviving title evidence is not uniform or contemporary in the strongest sense. This prevents a simple declaration that every source agrees.
95 No complete estate schedule survives for Edgar's alleged dignity. Landholding evidence is fragmentary and sometimes disputed.
96 Continuous public use of the alleged dignity is not established. This absence is adverse evidence against certainty and later survival.
97 This is Chapter 18's central historical finding. It is a probability finding concerning comital rank, not a modern legal determination of an extant Earldom of Oxford.
98 The context is the negotiated transition from Edgar's brief operative kingship to William's secured rule. The probable dignity belongs to that settlement.
99 Probable because the settlement began after Hastings and before William's departure for Normandy, with implementation or consolidation possible in early 1067.
100 The findings remain graded because Chapter 18 contains secure propositions, probable conclusions and unresolved legal questions.
101 This is the proper historical question for Chapter 18.
102 Secure as legal-historical context. Later-form letters patent cannot be required as the form of an eleventh-century creation.
103 Secure or strongly supported by the post-Conquest careers of English and Norman earls and the continued use of comital rank.

104 Strongly supported by William of Poitiers's statement.
105 Secure on the present record. No charter, patent, writ or other instrument has been identified that states the creation, title, limitation and terms.
106 No complete supporting estate package is recoverable from the present evidence.
107 Possible because of later tradition; unresolved because no contemporary source proves Harold's grant.
108 The original limitation is not preserved. Later heirs-general reasoning belongs to Chapter 19 and does not supply the missing words of the grant.
109 Possible but unproved. No source records Edgar's girding, investiture or other specific ceremony.
110 Hereditary limitation remains for Chapter 19 and later legal analysis.
111 This is the chapter's principal legal-historical conclusion.
112 This final conclusion justifies continuing the inquiry into hereditary character, incorporeal dignity, dispossession and restoration.
113 The exact title remains unresolved. Oxford is leading but qualified, not conclusively proved by Chapter 18.
114 This limitation prevents the probability finding from becoming a reconstructed charter.
115 Oxford remains the leading territorial identification from Chapters 7–10, not a certainty established by Chapter 18.

This page is intentionally left blank.

CHAPTER 19
Fee Simple and Heirs General

The meaning of fee simple

If William created or confirmed Edgar as an earl without surviving words of inheritance, the next question is whether the dignity was personal for life or hereditary[1]. The mature common-law phrase fee simple must be used cautiously because the technical estate had not acquired its complete later form in 1066[2].

In later law a fee simple represented the broadest inheritable estate[3], distinct from limitations to heirs of the body or heirs male[4]. The vocabulary supplies an analytical framework rather than direct proof of Edgar's original terms[5].

Not Roman ownership

Fee simple was not unrestricted Roman dominium[6]. English property law developed through Anglo-Saxon custom, Norman tenure and common-law doctrine[7]. William did not treat every pre-Conquest interest as extinguished automatically by conquest[8].

Hereditary landholding and lawful transfer existed[9], while the Crown maintained superior tenurial relationships[10]. Edgar's land and dignity therefore operated within allegiance and law[11].

Land and dignity

The land supporting an earldom, the office exercised by the earl, associated revenues and the personal dignity were connected but not identical[12]. A manor could be sold while a title remained[13]; office could be removed while hereditary rank survived[14]; extensive land did not itself make an earl[15].

Great Chesterford, Barkway or Hormead cannot be treated as the dignity itself[16].

Was early earldom hereditary?

Anglo-Saxon earldoms were not automatic patent peerages[17], but family succession and hereditary expectation were real[18]. William's new comital houses likewise developed continuity across generations[19].

The political purpose of incorporating Edgar's dynasty favours a durable hereditary honour over a merely temporary life appointment[20], though it does not determine the class of heirs conclusively[21].

Life grant, heirs of the body, heirs' male or heirs general

A life grant would end at Edgar's death[22]. A limitation to heirs of his body would exclude collateral succession[23]. Heirs' male would exclude transmission through women[24]. Heirs' general could admit direct and collateral female lines according to the applicable law[25].

No surviving wording selects among these models[26]. The lost instrument therefore remains the central evidential problem[27].

Heirs' general as a serious construction

No male-only or bodily limitation survives[28]. Early honours could pass through heiresses[29], while later law recognised dignities capable of female transmission[30]. Modern male-line patent practice cannot be imported backward as proof of Edgar's terms[31].

At the same time, later barony-by-writ doctrine cannot be applied mechanically to an eleventh-century earldom. Heirs' general is a serious and potentially leading construction, not a proven remainder[32].

One dignity, co-heirs and abeyance [33]

Heirs' general does not mean every descendant owns a fraction of the title[34]. A dignity is impartible and there can be one lawful holder at a time[35]. Equal co-heirs may possess competing rights[36], while possession is suspended in abeyance[37].

Abeyance may end through extinction of all but one line[38] or through lawful Crown intervention among equal co-heirs[39]. The title itself is not divided[40].

Sale, surrender and devise

Sale of supporting land does not transfer the dignity[41]. A hereditary peerage is not ordinarily alienable by private conveyance or testamentary nomination[42]. Surrender to the Crown would require a legally effective act and acceptance[43].

No surviving evidence identifies Edgar selling or surrendering the dignity itself[44].

Edgar's issue, Christina and Margaret

No secure lawful issue of Edgar is known[45], but documentary silence does not establish absolute childlessness[46]. Edgar's own descendants would take before collateral relatives[47]. If no such issue existed, Christina must be examined[48]. If she left no lawful descendants, Margaret's documented issue supplies the principal collateral direction[49]. Every conclusion remains conditional upon creation, inheritability, survival and the original remainder[50].

Female transmission and office

A woman's capacity to transmit hereditary right is distinct from personal exercise of the original military office[51]. Estates and honours could pass through heiresses while husbands or sons performed associated public functions[52].

The military character of early earldom therefore does not alone prove male-only descent[53].

The Crown and succession

Royal recognition remained important but was not equivalent to arbitrary selection[54]. The Crown might recognise a sole heir[55], choose among equal co-heirs[56], restore a forfeited dignity[57] or create a new one[58]. These powers are distinct[59].

A vested dignity cannot be treated as unrestricted property available for diversion from the lawful line[60].

The de Vere creation, sovereign line and Hallifax stream

The later de Vere Earldom of Oxford may be a separate creation[61] and does not itself prove that Edgar's earlier dignity never existed[62]. If the first title survived, overlap would require legal explanation[63].

Margaret's descendants entered the sovereign line[64], but royal status does not create automatic priority[65]. Darren John Halifax may be the most senior known direct descendant within the documented Hallifax stream[66]; that is a branch finding, not a peerage determination[67].

Historical presumption

If William I created or confirmed Edgar Ætheling as an earl in hereditary form[68], and if no restrictive remainder governed that dignity[69], it would be capable of descending to Edgar's lawful heirs general[70].

This is a conditional conclusion[71]. It does not prove the premise[72] or identify a present holder[73].

Historical findings

Secure or strongly supported: fee simple is a later classification[74]; dignity is distinct from land[75]; no remainder survives[76]; the title is impartible[77]; no secure lawful issue of Edgar has been established[78].

Probable: a durable hereditary honour is more likely than a life-only appointment[79]; the dignity was not inseparably attached to one manor[80]; unrestricted inheritance is more plausible than an invented male-only clause[81].

Possible but unresolved: fee-simple classification[82]; heirs-general limitation[83]; bodily or male restriction[84]; abeyance; consolidation[85]; merger with the Crown[86].

Chapter conclusion

The mature technical vocabulary cannot be projected uncritically into 1066[87], but hereditary possession and lawful transfer were established features of the legal order[88].

The original grant is lost[89]. A hereditary model is more likely than a life-only appointment[90], and heirs' general cannot be excluded by modern male-line assumptions[91]. If the title descended broadly, genealogy could branch widely[92] while the dignity remained one and impartible[93].

Chapter 19 endnotes

1 Chapter 18 establishes probable comital creation or confirmation without recovering the original words of limitation. Chapter 19 therefore addresses possible hereditary character, not the already-proved wording of a grant.
2 Henry W. Challis and Joshua Williams are useful later legal authorities for fee simple, heirs general, heirs of the body and heirs' male. Their categories provide analytical vocabulary, not direct evidence of William I's original terms.
3 In later English real-property law, fee simple denotes the largest ordinary inheritable estate, descendible broadly rather than confined to heirs of the body or heirs' male unless specially limited.
4 A limitation to heirs of the body confines descent to lineal descendants of the grantee; a limitation to heirs male excludes female transmission; heirs general is broader and may admit descent through women and collateral lines where the direct line fails.
5 This is the chapter's governing anti-anachronism control. Later legal vocabulary can classify possible outcomes but cannot supply missing eleventh-century words.
6 English fee simple is not equated with unrestricted Roman ownership. English land law developed through Anglo-Saxon custom, Norman tenure and common-law doctrine under superior royal and tenurial relationships.
7 The point matters because Edgar's alleged dignity sits at the transition between Anglo-Saxon and Norman legal-political systems. Later common-law categories illuminate, but do not govern from the start.
8 William's post-Conquest settlement included confiscation, confirmation, accommodation and redistribution. Conquest gave William immense practical power, but not every earlier interest was treated identically.
9 Hereditary expectation and lawful descent of land existed before the mature common-law vocabulary of fee simple was fully developed.
10 The Norman tenurial order placed landholding within a structure of lordship and allegiance. Broad inheritance did not mean freedom from royal authority.
11 Any post-submission dignity or landholding granted to Edgar would have existed beneath William's kingship and within the legal-political order created by the Conquest.
12 Blackstone's later classification of dignities as incorporeal hereditaments is useful analytically because it separates the dignity from the corporeal lands or revenues that may support it.
13 Sale or transfer of land does not automatically transfer a dignity unless the dignity is proved to be annexed to that land by tenure or specific legal arrangement.
14 A person may lose office, revenue or active governmental function without that loss necessarily deciding hereditary title. The effect depends upon the nature of the dignity and the legal act removing it.
15 Extensive landholding is evidence of rank or political importance, but it is not identical to comital dignity.
16 Great Chesterford, Barkway and Hormead may be relevant to landholding and support, but no identified manor has been proved to carry the alleged Earldom of Oxford automatically.
17 Late Anglo-Saxon and early Norman earldoms belonged to a pre-patent world of office, rank, regional power, land, court recognition and royal appointment.
18 The careers of late Anglo-Saxon and early Norman comital families show hereditary tendencies and expectations, even where royal recognition remained necessary.
19 Norman and post-Conquest aristocratic houses developed durable hereditary honours, though not every office or grant followed the same limitation.
20 The argument is probabilistic: Edgar's royal birth, surrendered kingship and William's need to incorporate the Wessex line make a durable honour plausible.
21 The same evidence that supports hereditary intention does not select heirs general, heirs of the body, heirs' male or life-only limitation with certainty.
22 If Edgar's dignity was purely personal for life, no collateral descent through Christina or Margaret could arise.
23 If the dignity was limited to heirs of Edgar's body, and if no lawful issue is established, the dignity would fail under that model.
24 A male-only limitation would exclude descent through Christina, Margaret and later female lines. No surviving special male-only limitation has been identified.
25 Heirs-general descent can pass through daughters and collateral relatives where the direct line fails, subject to the dignity's limitation and the law governing descent.
26 This is the central evidential problem. The original constitutive act is lost, and no later authoritative proceeding has supplied the missing limitation.
27 The chapter's legal reasoning is necessarily conditional because the original words of creation, if any, are not preserved.
28 The absence of a recorded male-only or bodily limitation prevents the study from importing such a restriction merely because later patent peerages often use male-line wording.
29 English hereditary honours and estates could transmit through women in appropriate circumstances. The principle does not prove Edgar's limitation, but it prevents female transmission from being excluded by assumption.
30 Peerages created by writ and some ancient dignities were capable of descent through heirs general and of entering abeyance among co-heirs. Later law supplies analogy and classification, not Edgar's original wording.
31 Later practices of limiting peerages to heirs' male cannot be applied retroactively to an alleged dignity created in 1066 or 1067 without evidence.

32 This sentence remains the principal formula for Chapter 19. The heirs-general model is leading in the absence of a contrary limitation, but it is not a recovered grant clause.
33 Abeyance becomes possible only if the dignity was hereditary to heirs general, survived, and the descent produced equal co-heirs.
34 A dignity is impartible. Descent through heirs' general may create competing claims, but it does not divide the title into fractional ownership.
35 Palmer's treatment of peerage law is useful for the principle that dignities are impartible and may fall into abeyance where equal co-heirs exist.
36 Equal co-heirs do not each hold part of the title. Each represents a competing claim to the whole, producing suspended possession until resolved.
37 Abeyance is a legal condition in which no single co-heir can exercise the dignity because the right is distributed among equal representatives.
38 If all competing lines but one fail, the surviving line may become sole heir.
39 The Crown may terminate abeyance in favour of one co-heir in appropriate cases. This is a power of resolution, not proof of an arbitrary power to divert a vested title from its lawful line.
40 This principle must govern all later genealogy. No descendant owns a percentage share of the earldom.
41 Land and dignity are distinct. The sale or loss of Great Chesterford, Barkway, Hormead or any other estate would not transfer the title unless the dignity were proved to be annexed to that land.
42 Later peerage law treats dignities as not alienable by ordinary private sale, conveyance or will. This is relevant by analogy to any claimed hereditary dignity, though later law cannot supply Edgar's original terms.
43 A legally effective surrender of a dignity cannot be assumed from submission of kingship, loss of land, foreign travel or quiet retirement.
44 The record contains submission, rebellion, reconciliation, capture and release; it does not contain a separate surrender of a comital dignity.
45 No contemporary or near-contemporary source securely identifies a lawful wife or lawful child of Edgar Ætheling.
46 The absence of known issue permits conditional collateral analysis. It does not justify a categorical statement that Edgar certainly had no lawful issue.
47 If lawful descendants of Edgar existed and the dignity was hereditary in a form that admitted them, they would take before his sisters or their descendants.
48 Christina is considered before Margaret because she was Edgar's sister and may represent a nearer collateral direction depending on the relevant rules and issue status.
49 Anne Williams's work on Romsey is relevant to Christina's religious and royal female context. It supports the view that Christina's life was religious and high-status, but it does not prove every possible issue question beyond all doubt.
50 This is the central control on the entire descent inquiry. Genealogy does not matter legally unless the dignity existed, was hereditary, survived and descended under the proposed limitation.
51 This distinction is essential where the original office involved military or governmental functions. A woman might transmit hereditary right even where practical exercise of office passed through a husband, son or royal appointee.
52 English inheritance practice contains many examples of heiresses transmitting lands and honours while male relatives or spouses exercised associated public duties.
53 A military office may have been exercised by men without the hereditary right necessarily being limited to male heirs only.
54 The Crown's role in recognising, confirming, restoring or resolving dignity succession does not make hereditary right a matter of unrestricted choice.
55 Recognition of a sole heir gives public effect to a hereditary title claim where the descent is clear.
56 In abeyance, the Crown may select one co-heir to terminate suspended possession, but that presupposes a lawful co-heir field.
57 Restoration after forfeiture is a separate act and requires its own authority. It cannot be inferred merely from personal reconciliation unless the evidence supports that result.
58 A new creation is distinct from recognition or restoration of an existing dignity. Later Oxford creations may therefore be separate from Edgar's alleged dignity.
59 Recognition, termination of abeyance, restoration and new creation is not collapsed. Each has different legal consequences.
60 If a hereditary dignity vested under a limitation, the Crown's role would operate within legal rules. It would not be ordinary private property available for arbitrary transfer.
61 The de Vere earldom is the later secure Oxford dignity. It does not automatically disprove an earlier separate dignity associated with Edgar.
62 Later creations under the same territorial name may coexist historically with a prior dignity if the prior dignity had been extinguished, forfeited, dormant, abeyant or separately terminated.
63 If Edgar's alleged dignity survived into the period of the de Vere creation, the relationship between the two dignities would require formal explanation: separate creations, extinction, merger, abeyance, forfeiture or misidentification.
64 Margaret's descendants entered the Scottish and later English royal lines through Malcolm III, Matilda of Scotland and Henry I, and later through broader royal descent.

65 Royal statuses do not itself settle descent of a collateral dignity. Title direction is traced according to the dignity's own limitation and surviving legal rules.
66 This is a branch finding only. The Hallifax stream illustrates a documented non-sovereign line of descent, but it does not identify the holder of Edgar's alleged dignity.
67 This sentence remains fixed. It prevents a documented pedigree from being treated as title ownership.
68 The conditional "if" is essential. Creation and hereditary character remain premises, not settled legal facts.
69 A restrictive remainder might confine descent to heirs' male, heirs of the body, life estate or another special limitation. No such wording survives, but absence of evidence is not the same as proof of broad wording.
70 This is the cautious historical presumption. It states capability under a broad hereditary model, not present proof of descent or holder.
71 The conclusion depends on creation, hereditary form, survival and absence of special limitation.
72 The heirs-general model does not prove that the dignity was created, hereditary, Oxford, surviving or vested today.
73 No modern holder is established. Neither Charles III nor Darren John Halifax nor any petitioner is identified as holder by Chapter 19.
74 The maturity of fee-simple vocabulary post-dates the alleged 1066–1067 creation. Its use is analytical.
75 Later legal classification of dignities as incorporeal hereditaments supports this distinction, while Chapter 20 will develop it in full.
76 No surviving act of creation or limitation has been identified for Edgar's alleged dignity.
77 Dignity is treated as one indivisible honour. This principle is central to the later abeyance analysis.
78 This is a cautious evidential finding, not a categorical declaration of childlessness.
79 This probability follows from Edgar's surrendered kingship, dynastic status and the political need for meaningful incorporation.
80 No estate has been shown to confer the title automatically. The dignity, if created, is more plausibly a personal royal honour supported by lands.
81 No surviving male-only limitation justifies importing male-line restriction by default. The statement remains probabilistic, not definitive.
82 The fee-simple model is possible and useful, but the original grant's wording is missing.
83 Heirs general is leading under the absence of special limitation but not proved as the recovered remainder.
84 A bodily or male restriction remains possible because the original limitation is unknown, though no surviving evidence records it.
85 Consolidation in one line could occur if competing lines failed or if lawful determination favoured one co-heir.
86 If the whole right consolidated in a sovereign line, questions of merger, non-use or constitutional treatment would require separate analysis.
87 This conclusion restates the chapter's anti-anachronism rule.
88 The fact that later vocabulary was immature does not mean inheritance or lawful transfer was absent.
89 The lost grant prevents recovery of the exact limitation and therefore forces conditional analysis.
90 The probability is historical and contextual, resting on Edgar's status and the political function of accommodation.
91 Male-line exclusion requires evidence. It cannot be supplied merely by analogy to later common patent formulas.
92 Heirs-general descent can produce many collateral branches over centuries, especially through female lines and surname changes.
93 Broad descents do not mean divided ownership. It means the right to one indivisible dignity may pass into complex co-heirship.

CHAPTER 20
The Dignity as an Incorporeal Hereditament

The legal category

Later English law classified a dignity as an incorporeal hereditament: a heritable legal right without a physical body[1]. It could not be occupied like a manor or transferred merely by delivering possession of land[2].

The classification is later than Edgar but provides the most useful framework for distinguishing title from the estates, revenues and office that once supported it[3].

Corporeal land and incorporeal dignity

Domesday cannot alone decide the legal fate of an incorporeal dignity.[4] Until then, the safe result is structural.[5]

Great Chesterford, if held by Edgar, was corporeal property[6]. It could be sold, exchanged, confiscated, purchased or placed in the King's hand[7]. The probable dignity was different[8]. A later possessor of the manor did not become Earl of Oxford merely through possession[9]. Great Chesterford may be relevant without being decisive.[10]

This strongly supports separation between manor and title unless an earldom by tenure can be proved[11]. No such automatic annexation has been established[12].

Office and revenue

An early earl performed public functions and might receive county revenues[13]. William could withdraw military command, jurisdiction or revenue after rebellion without necessarily determining the hereditary dignity[14].

Practical dispossession is a fact; legal extinction requires evidence directed to the title[15].

Inalienability and surrender

Later doctrine describes peerage as inalienable[16]. The holder cannot sell the title privately or assign it to a creditor[17]. A legally effective surrender to the Crown, forfeiture, legislation or extinction under the remainder could alter the right[18].

No evidence identifies a separate surrender of Edgar's earldom[19]. Submission of kingship or conveyance of land should not be assumed to include the title[20]. The land may pass to another owner, but not carry the title automatically.[21]

Impartibility and equal co-heirs

Abeyance may exist where several co-heirs possess equal rights.[22] A dignity is impartible[23]. The title is not divided among equal co-heirs[24,25,26]. Where equal hereditary rights arise, possession may be suspended in abeyance[27], but the dignity remains one and indivisible. The legal result would be abeyance or another recognised condition of suspended possession, not partition of the dignity itself.[28] A genealogical table may show many descendants.[29] The title may be unsupported by land, but not divisible into descendants.[30]

There can be only one lawful earl in possession. Genealogical descent identifies possible lines; law identifies the holder.

Abeyance, dormancy [31] and extinction

Abeyance arises where equal co-heirs prevent exclusive possession. Dormancy may exist where one heir is unknown or unproved[32]. Extinction occurs where no person can succeed under the remainder or the legal creation has otherwise ended[33].

Non-use does not itself distinguish these states[34]. It may reflect forfeiture, ignorance, loss of evidence or political suppression[35]. Where no one has claimed or used a dignity for centuries, several conditions are possible.[36]

Forfeiture and pardon

An incorporeal hereditament can be forfeited[37]. Its non-physical character does not make it immune from law[38]. Edgar's rebellions and Tinchebray therefore remain serious points of possible deprivation[39]. Incorporeal dignity and the Oxford proposition.[40]

Pardon may restore personal liberty without restoring title[41]. Conversely, an early reconciliation may include restoration[42] even where no instrument survives[43]. Land, office and dignity must be tested separately[44]. Barkway and Hormead may be relevant without defining the title.[45]

Research and the right

Research and recognition remain distinct.[46] Modern discovery cannot create a dignity[47]. Research may identify an original act, overlooked heir or error in an official list[48], but the right derives from creation and lawful succession[49]. A documentary discovery can change the evidential position.[50]

The petition seeks historical recognition rather than private acquisition[51]. A petitioner does not become earl by locating evidence[52]. A petition does not create the right it seeks to prove.[53]

The Roll of the Peerage and proof of ancient creation

The Roll may omit a holder, but not prove ancient non-creation.[54] The modern Roll records officially recognised living holders[55]. Absence records present non-recognition[56]; it does not determine that an ancient creation never occurred[57]. The Roll records recognition, not every historical possibility.[58] The Crown cannot be made both source of law and proof against every unrecognised claim.[59]

Where a patent of peerage cannot be found recorded in the Patent Rolls or elsewhere in the records, other evidence must be resorted to[60].Palmer's formulation means that chronicles, royal records, heraldic compilations, estate history, genealogy and other persuasive evidence may prove a claim when the originating instrument is missing[61]. Recognition on the Roll would be the result of a successful claim, not a prerequisite for beginning one[62].

Crown functions

The Crown may create, recognise succession, terminate certain abeyances and restore forfeited dignities[63]. These powers are not interchangeable[64]. Recognition of a sole heir differs from selection among equal co-heirs[65]; restoration differs from new creation[66]. Crown power is treated constitutionally.[67] The Crown may recognise, restore or create, but each act has different legal consequences.[68]

An existing vested dignity is not arbitrary property available for diversion from its lawful destination[69].

Sovereign and Hallifax directions

Then co-heirship, abeyance, consolidation, sovereign direction and non-sovereign branches may all become relevant.[70]

Margaret's descendants entered the sovereign line[71]. A dignity could merge with the Crown only if lawful descent reached the sovereign as sole heir or through valid termination of abeyance[72]. This matters for the later collateral inquiry.[73] Sovereign descent is not title possession.[74]

The Hallifax stream is a documented line, not automatic title ownership[75]. Every senior and co-heir line must be compared[76]. None would possess a fractional earldom.[77] Hallifax descent is not title possession.[78]

Historical model

The provisional model is that William probably created or confirmed Edgar as an earl, supported by land and perhaps limited office[79]. Rebellion disrupted possession[80]. If the dignity was hereditary and survived or was restored[81], it would descend according to its remainder[82]. The dignity, if it survived, remained one legal thing.[83]

If heirs' general were admitted, female and collateral lines could arise[84], equal co-heirs could create abeyance[85], and later consolidation[86] might produce one holder[87]. Every stage remains conditional[88]. If descent reached two daughters or several collateral representatives, each might possess a claim to the whole.[89] If the descent admitted heirs general.[90]

Historical findings

Secure or strongly supported: later law classifies dignity as an incorporeal hereditament[91]; it is distinct from land, office and revenue[92]; it is inalienable and impartible[93]; the title is not divided among equal co-heirs; Roll absence means current non-recognition[94].

Probable: Edgar's dignity, if hereditary, was[95] personal rather than attached to Great Chesterford[96]; loss of land alone would not extinguish it[97]; non-use could reflect several legal states[98].

Possible but unresolved: survival through rebellion[99]; restoration; dormancy; abeyance; consolidation; merger[100]; permanent forfeiture or surrender[101].

Chapter conclusion

No modern holder follows from Chapter 20.[102] The chapter therefore supplies method rather than final judgment.[103]

The earldom cannot be understood as another name for one manor[104]. Land, office, revenue and dignity may travel together or separate[105].

The title is not divided among equal co-heirs. A lost instrument may be replaced evidentially by other proof[106]. The resulting inquiry must determine creation, remainder, forfeiture, restoration and lawful descent[107] rather than infer extinction from land loss or survival from silence[108]. Domesday may show landholding or dispossession.[109] The inquiry therefore continues not as a search for a lost manor, but as a test of a possible incorporeal hereditary dignity.[110]

Chapter 20 endnotes

1 William Blackstone, Commentaries on the Laws of England, Book II, chapter 3, classifies dignities among incorporeal hereditaments. The classification is later than Edgar, but it supplies the legal vocabulary needed to distinguish dignity from land, office and revenue.
2 A manor is corporeal land; a dignity is a legal honour or right. Possession of land may support or evidence rank, but it does not itself transfer a dignity unless the dignity is proved to be legally annexed to that land.
3 The chapter uses later legal classification analytically. It does not claim that William I or Edgar used the mature common-law phrase "incorporeal hereditament" in 1066 or 1067.
4 The survey may show the state of land in 1086. It does not necessarily record the status of a dignity, its remainder or its legal extinction.
5 The structural result is that the dignity, if it existed, is best understood as one incorporeal legal right distinct from land and office.
6 Great Chesterford, even on the favourable older reading, would be land. It could corroborate comital rank if securely associated with Edgar, but it would not itself be the dignity.
7 Land can pass by transfer, confiscation, purchase, royal seizure or administrative absorption. Those changes in landholding do not automatically determine the fate of a personal or hereditary dignity.
8 The dignity, if created, is analysed as a personal legal honour distinct from the material estates that may have supported Edgar's status.
9 This is a central protection against title-by-manor reasoning. Without proof of an earldom by tenure annexed to the manor, later possession of Great Chesterford cannot confer the alleged Earldom of Oxford.
10 Great Chesterford may corroborate comital rank if identified with Edgar, but it cannot function as the dignity itself or as conclusive Oxford proof.
11 Dignity by tenure is a distinct legal possibility, but no identified estate has been shown to carry Edgar's alleged dignity automatically. The burden remains on proof of annexation.
12 No surviving source states that Great Chesterford, Barkway, Hormead or any other estate carried the Earldom of Oxford by tenure.
13 Early comital rank could involve office, regional power, jurisdiction, military command and revenue. These practical functions were historically connected with earldom but are not identical with an incorporeal dignity.
14 Loss of office or revenue may demonstrate practical dispossession. It does not alone prove extinction of a hereditary dignity, unless the dignity was legally inseparable from the office or unless a valid forfeiture or other extinguishing act occurred.
15 This distinction governs Chapters 20–24. Edgar's rebellions may explain loss of lands or office, but the legal effect upon the dignity requires separate proof.
16 Parliamentary and peerage-law materials describe peerage dignity as inalienable, impartible and incorporeal. The chapter uses that doctrine to prevent the dignity from being treated as ordinary transferable property.
17 A hereditary dignity is not ordinarily a marketable asset. Sale of estates, debts, private assignments or testamentary intentions do not by themselves transfer the dignity.
18 The chapter lists possible legal mechanisms capable of affecting the dignity. It does not assert that any one of them has been proved in Edgar's case.
19 No surviving text records Edgar surrendering a comital dignity as distinct from submitting his kingship, losing land, reconciling with William or being released by Henry I.
20 Edgar's relinquishment of operative kingship in 1066 and any later loss or transfer of land is not expanded into surrender of a distinct dignity without evidence.
21 This land-title distinction remains central to the analysis.
22 Abeyance concerns competing co-heirs of equal standing to an impartible dignity.
23 Palmer's Peerage Law in England is useful for the principle that a dignity is one legal honour and is not divided into fractions among co-heirs.
24 Equal co-heirs may represent competing rights to the whole dignity. They do not each hold a fractional title.
25 Secure as a principle of impartibility.
26 The repetition is justified because it controls the later genealogical analysis.
27 Possible only if the dignity descended to heirs general and equal co-heirs existed.
28 Abeyance is a condition in which no single co-heir can exercise the dignity because competing rights of equal standing exist.
29 Genealogy may show biological or lawful descent. It does not automatically show legal entitlement to an impartible dignity.
30 A title may lose its material estate base. It does not become fractional property.
31 Possible if a lawful heir existed but was unknown, unproved or unrecognised.
32 Dormancy concerns uncertainty or absence of a proved person entitled to claim or exercise the dignity.
33 Extinction requires failure of the line under the relevant limitation or some other legally effective termination. It cannot be inferred merely from silence.
34 The same outward condition—no public use of a title—may reflect dormancy, abeyance, extinction, forfeiture, ignorance, suppression, non-recognition or loss of evidence.
35 This list keeps non-use open to several explanations. the study does not select one merely because it is convenient.

36 Long non-use may be explained by multiple legal and historical states. Non-use is evidence requiring interpretation, not an answer by itself.
37 The non-physical character of a dignity does not make it immune from forfeiture or lawful deprivation.
38 Incorporeal rights are legal rights. They can be affected by legal acts even though they have no physical body.
39 Edgar's rebellion after 1066 and his capture at Tinchebray in 1106 are serious historical events that could have affected lands, office or dignity. Whether they permanently extinguished the dignity remains unresolved.
40 The incorporeal-hereditament framework strengthens the Oxford proposition only by keeping title distinct from land. It does not prove Oxford directly.
41 Henry I's release of Edgar after Tinchebray proves clemency or personal pardon more strongly than restoration of a dignity.
42 Possible but unresolved because reconciliation and pardon may restore favour or land without proving restoration of the dignity.
43 The 1074 reconciliation may have restored land, favour, office or some aspect of earlier settlement, but no surviving instrument proves complete restoration of the same dignity.
44 This is Chapter 20's core legal method. Loss or restoration of one category does not automatically decide the others.
45 Barkway and Hormead may contribute to later landholding context, but they do not define the alleged dignity.
46 Heritage 1066 research, petitions and genealogical reconstruction may support historical recognition, but they do not themselves create entitlement.
47 Historical research may discover or clarify evidence. It does not itself create a legal dignity.
48 Research can be evidentially important where ancient creation, limitation, descent or recognition is disputed.
49 The right, if any, derives from the original creation and lawful descent under its limitation, subject to forfeiture, restoration, merger, abeyance or extinction.
50 A new charter, chronicle witness, official recognition, reliable pedigree or record could alter the evidential balance. It would do so by proving facts, not by creating the dignity anew.
51 The petition process is evidential and procedural. It does not turn research labour into ownership of the title.
52 This sentence remains fixed. Discovery of evidence may support a claim, but entitlement depends on lawful descent and recognition.
53 The petition is a procedural route, not a source of the dignity.
54 Roll absence is current non-recognition. It is not historical proof that no ancient dignity ever existed.
55 The Roll of the Peerage records recognised living peers. It is relevant to present recognition, not to the full historical existence of every ancient dignity.
56 Absence from the Roll means the dignity is not currently recognised on the Roll. It is not treated as a conclusive historical finding that no ancient creation occurred.
57 An ancient title may require proof from other evidence where no modern recognised holder appears on the Roll.
58 The Roll is a present recognition instrument. It does not contain every dormant, abeyant, extinct, forfeited or unproved ancient claim.
59 Present non-recognition does not prove that no ancient act occurred. Conversely, the Crown's past creative power does not prove a particular creation without evidence.
60 Palmer's formulation supports the use of other evidence where the originating instrument is missing. The principle supports inquiry, not automatic success.
61 The relevant evidence must still be probative, reliable and connected to the claim. Quantity of references cannot substitute for legal relevance.
62 This distinction prevents circular reasoning: absence from the Roll is not proof that inquiry cannot begin.
63 These are distinct constitutional functions. They is not collapsed into a single undifferentiated prerogative.
64 Creation brings a new dignity into being; recognition confirms a lawful succession; termination of abeyance selects among lawful co-heirs; restoration reverses or cures forfeiture under lawful authority.
65 A sole heir claim requires proof of title and descent. Abeyance involves multiple co-heirs of equal hereditary standing.
66 Restoration concerns an existing or forfeited dignity; new creation begins a new dignity with its own terms.
67 Crown powers over dignities operate through law, recognition, restoration, creation and abeyance principles. They are not mere personal discretion.
68 This prepares Chapter 21, where Crown powers are separated in detail.
69 If a dignity has vested under a lawful limitation, it cannot be treated as a private favour available for arbitrary diversion from the legal line.
70 These later questions arise only after the earlier premises have been established.
71 Margaret of Scotland's descendants entered the Scottish and later English royal lines. This creates a possible sovereign direction, but it does not itself prove title descent.
72 Sovereign descent is relevant only if the dignity survived and lawfully reached the sovereign line under its own limitation.
73 The later inquiry through Christina, Margaret, sovereign lines and non-sovereign branches must compare competing lines without treating each line as owning part of the dignity.
74 A person may descend from the relevant family and even stand within a royal line without thereby being proved holder of a private dignity.
75 The Hallifax stream may establish a documented genealogical branch, but genealogy alone does not prove universal heirship or title possession.

76 Peerage descent requires comparison of all relevant senior, collateral and co-heir lines, not selection of one documented line in isolation.
77 This prevents genealogical tables from being misread as allocating percentage ownership of the title.
78 A documented Hallifax line may be genealogically important. It is not automatic title ownership.
79 This model rests on the earlier historical chapters. It remains provisional because the original act, limitation and legal effects of later events are not preserved.
80 Edgar's rebellion likely disrupted lands, revenues, office or favour. It does not automatically prove final extinction of the dignity.
81 Survival and restoration remain unresolved until the forfeiture and restoration chapters are applied.
82 The conditional structure is essential: creation, hereditary form, survival or restoration, and lawful descent must all be established separately.
83 This is the key methodological rule for all subsequent descent analysis.
84 Under an heirs-general model, descent may pass through women and collateral relatives where the direct line fails.
85 Equal co-heirs would suspend active exercise of the dignity unless and until the abeyance terminated naturally or by lawful Crown action.
86 Possible if co-heir lines later united or all but one failed. It remains unproved.
87 Consolidation could occur if competing lines failed or if lawful determination resolved the co-heirship. The chapter does not identify such a holder.
88 This sentence remains fixed. Chapter 20 does not prove modern entitlement.
89 Under an heirs-general model, several equal representatives may have competing claims. The dignity remains one.
90 Heirs general remain a leading explanatory model, but not the recovered wording of the original grant.
91 Secure as later legal classification through Blackstone and related peerage-law materials.
92 Secure as the chapter's core legal distinction. Land, office and revenue may support dignity but are not identical with it.
93 Secure as later peerage-law doctrine, used here to clarify the nature of the alleged dignity.
94 Secure as a statement about the Roll's present function, but not proof of historical non-creation.
95 The premise remains conditional. Chapter 20 does not prove hereditary character by itself.
96 Probable because no automatic title-by-tenure annexation to Great Chesterford has been established.
97 Probable under the land/dignity distinction. Extinction would require evidence directed to the dignity.
98 Probable because dormancy, abeyance, forfeiture, loss of evidence and non-recognition may all produce non-use.
99 Possible but unresolved because rebellion likely disrupted possession but no final legal extinction has been proved.
100 Possible only if the whole dignity lawfully reached the Crown or became affected by Crown status. It is not assumed.
101 Possible but unresolved. No surviving record identifies permanent forfeiture or separate surrender of Edgar's alleged dignity.
102 Chapter 20 supplies legal categories only. It does not identify Charles III, Darren John Halifax, Dennis Keith Lillee, John Lindsay Robert Guest or any other person as holder.
103 The chapter's purpose is to protect later analysis from category mistakes concerning land, title, Roll status, research, Crown power and descent.
104 This is the chapter's central conclusion against estate-title confusion.
105 The categories may coincide historically but is analysed separately for legal effect.
106 Palmer supports resort to other evidence where a patent or originating instrument cannot be found. The replacement is evidential, not fictional: the other proof must still establish the required legal facts.
107 These are separate elements. Proof of one does not prove the others.
108 The chapter rejects both extremes. Loss of land alone does not prove extinction; silence alone does not prove survival.
109 Domesday is a land and fiscal record. It is not a full peerage register and cannot by itself determine title extinction or survival.
110 This is the correct transition from Chapter 20 into the Crown-power and forfeiture/restoration chapters.

CHAPTER 21
Crown Power and Constitutional Limits

Distinct Crown powers

These distinctions prevent circular reasoning.[1] The Crown stands at the beginning and at several turning points of Edgar's probable dignity[2]. Creation, recognition, forfeiture, restoration and termination of abeyance[3] are separate constitutional acts with different conditions and consequences[4].

The existence of prerogative does not turn an inherited dignity into an unrestricted personal gift[5]. A king may create a new title[6], recognise a lawful heir[7], choose among equal co-heirs where law permits[8] or restore a forfeited dignity[9]. These powers do not authorise arbitrary diversion from a sole lawful heir[10].

Creation and terms

William's creative power was broad[11]. The act could define title, territory and hereditary limitation[12]. If the instrument is lost, a modern decision-maker interprets the original grant; it does not rewrite it[13].

Present convenience cannot supply a life limitation, heirs-male remainder or heirs-general clause unsupported by historical evidence[14].

Recognition and the Roll

Historical recognition is not a consolation prize.[15] Recognition determines history.[16] Recognition confirms succession to an existing dignity[17]. It is not a new creation[18]. A claimant applies through the recognised constitutional process and must prove the title and descent[19].

The evidence must now be tested against Crown power, constitutional limit and lawful descent.[20] If the title is extinct, the possible remedy differs from recognition of a holder.[21] If the title is in abeyance, the possible remedy differs from new creation.[22] New creation and historical recognition remains distinct.[23] A new title may commemorate history.[24]

The Roll records recognised living peers[25]. Entry follows success[26]; absence records current non-recognition rather than historical non-creation[27].

The evidential gateway

Palmer's missing-instrument principle operated in this case as the evidential gateway through which the petition advanced[28]. Evidence gathered by Guest presented a prima facie case that William I created or confirmed Edgar as an earl[29]. Much of that evidence carried the Oxford appellation[30], but the threshold question was the existence of the Williamian comital creation[31]. Referral for determination may become appropriate only after the threshold historical proposition is adequately framed.[32]

That prima facie showing led to an invitation to submit a supplemental petition[33]. The invitation did not recognise the earldom[34], determine Oxford[35] or identify a present heir[36]. It confirmed that the absence of the original instrument was not fatal where other evidence justified fuller examination[37]. The official correspondence preserved procedural possibility.[38]
Prerogative within law

Royal prerogative is not personal whim[39]. The Crown could confiscate after rebellion[40], regulate office[41] and pardon offences[42], but legal consequence depended upon recognised authority and the character of the right affected[43].

William's government presented itself through coronation, lawful continuity and royal justice rather than permanent government by unrestricted military seizure[44].

Land, office and allegiance

The Crown possessed broad authority over public office[45] and could remove military command, jurisdiction or county revenue[46]. Great Chesterford's appearance in the King's hand does not reveal whether the route was confiscation, purchase, exchange, surrender or another transaction[47].

Edgar's submission created allegiance[48]. Breach supplied a strong basis for dispossession[49], but defeat alone does not identify the exact hereditary consequence for a dignity[50].

Forfeiture, judgment [51] and silence

A claim of permanent forfeiture requires an evidential basis[52]: judgment, public act[53], recognised custom[54], formal seizure[55] or consistent later treatment[56]. No surviving act names an Earldom of Oxford in a permanent deprivation of Edgar[57].

The absence does not prove survival[58]. It means that permanent forfeiture must be inferred rather than cited as a documented fact. It prevents permanent forfeiture from being treated as established fact.[59]

Pardon and restoration

Pardon may remove punishment without restoring property[60]. Restoration may revive an old dignity[61] or constitute a new creation under different terms[62]. Edgar's reconciliations establish rehabilitation more securely than restoration of Oxford[63].

The Titles Deprivation Act supplies a later analytical example of deprivation and restoration as separate acts, though it does not govern Edgar[64].

Recognition of heirs and abeyance

Procedural possibility is not hereditary abeyance.[65] Where one lawful heir exists, recognition follows the remainder and proof[66]. Where equal co-heirs exist, the title is not divided among them[67] and the Crown may possess discretion to terminate the abeyance in favour of one lawful co-heir[68].

Natural termination may occur if all but one line becomes extinct[69]. The Crown then recognises a sole heir rather than selecting among equals[70].

No arbitrary diversion

Political convenience is not legal succession[71]. A sovereign descendant is not automatically senior because the line reached the Crown[72]. A Hallifax descendant is not senior merely because that stream is documented[73]. A petitioner is not heir because the petitioner discovered the evidence[74]. The Crown as beneficiary is not the same as the Crown as source of new honours.[75]

The original limitation and complete genealogy control the result[76].

Merger[77] with the Crown[78]

The Crown as recogniser is not the same as the Crown as beneficiary.[79] A dignity may merge with or be absorbed into the Crown only when the hereditary right actually reaches the sovereign[80]. Remote royal descent is insufficient[81], and co-heirs elsewhere prevent automatic merger[82].

The present sovereign may be a leading constitutional destination if survival, remainder and consolidation[83] are proved[84]; that conclusion remains conditional[85].

Burden of proof

If creation is probable but survival cannot be proved, historical recognition may be the proportionate remedy.[86] No statement is read as rejection of the title.[87]

The claimant bears the burden of proving creation, nature of the remainder, descent, survival and absence of a terminating event[88]. Antiquity affects available evidence but does not remove the burden[89].

Palmer permits resort to other evidence[90]; it does not command acceptance of every old tradition[91].

Historical findings

Secure or strongly supported: creation, recognition, forfeiture, restoration and abeyance are distinct[92]; missing patents may be proved by other evidence[93]; the title is not divided among equal co-heirs[94]; Roll entry follows recognition[95].

Probable: William exercised creative or confirmatory authority[96]; rebellion caused practical loss[97]; any continuing dignity follows its original limitation rather than modern Crown preference[98]. The Crown as creator is not the same as the Crown as recogniser.[99]

Possible but unresolved: formal forfeiture[100]; restoration in 1074 or after Tinchebray[101]; abeyance, consolidation, merger or a surviving non-royal sole heir[102]. No modern remedy can be selected before the legal condition of the dignity is classified.[103]

Chapter conclusion

No statement in Chapter 21 is read as recognition of the title.[104] The correct present position remains non-recognition accompanied by preserved procedural possibility.[105]
The Crown may create, recognise, restore and choose among equal co-heirs where law permits[106]. It cannot properly treat an existing hereditary dignity as an arbitrary possession available for diversion[107].

In Edgar's case, resort to other evidence was the procedural basis upon which the prima facie Williamian creation advanced to a supplemental petition[108]. The invitation did not determine the claim[109]; it established that the missing original instrument did not close the inquiry[110].

Chapter 21 endnotes

1 Without these distinctions, the inquiry could wrongly treat Crown non-recognition as disproof, Crown descent as ownership, or Crown power as authority to allocate the dignity without proof.
2 The Crown is relevant at several different stages: William I as probable creator or confirmer; later sovereigns as possible agents of forfeiture, restoration or regrant; the modern Crown as constitutional authority acting on advice; and the sovereign line as a possible genealogical destination. These roles is kept separate.
3 Possible only if heirs-general descent, survival and equal co-heirs are established.
4 Erskine May's treatment of peerage claims, Palmer's Peerage Law in England, and later parliamentary and peerage-law materials distinguish creation, proof of succession, abeyance, restoration and new creation. The chapter uses these categories to prevent one Crown function from being mistaken for another.
5 The royal prerogative in relation to honours is substantial, but an existing hereditary dignity, if vested under its own limitation, is not ordinary discretionary property. The Crown may create new honours and act in recognised ways concerning existing dignities, but that does not authorise arbitrary diversion of a vested hereditary right.
6 Creation is the act by which a new dignity is brought into being. A new creation may commemorate or resemble an older title, but it is legally distinct from recognition of an ancient dignity.
7 Recognition confirms succession to an existing dignity where creation, limitation and lawful descent have been proved. It is not the same as granting a new honour.
8 Termination of abeyance may occur where an impartible dignity descends among equal co-heirs. The Crown's action operates within the lawful co-heir field; it is not selection of a stranger or ordinary favour.
9 Restoration reverses or cures the consequences of forfeiture under lawful authority. It differs from new creation and from simple personal pardon.
10 If a sole lawful heir is proved, recognition follows the lawful descent rather than personal preference. Crown discretion is broader in creation or abeyance termination than in recognition of a vested right.
11 William I's post-Conquest authority included broad power to create, confirm, reshape or reward rank within the new order. The breadth of that power supports the possibility of Edgar's creation or confirmation, but does not supply the missing terms.
12 A constitutive act could define whether the dignity was personal, hereditary, territorial, male-line, heirs-general, or otherwise limited. Because the act is not preserved, none of those terms can be quoted as recovered wording.
13 This is a central legal-control point. A missing instrument may be proved by other evidence, but the task remains to determine what was originally done, not to impose a modern preferred limitation.
14 Neither a restrictive limitation nor a broad heirs-general limitation may be invented for convenience. The evidence must support the proposed construction, and uncertainty remains visible.
15 Historical recognitions can correct the record, preserve the antecedent dignity as unresolved or extinct, and define what remains unproved. It is not the same as title recognition, but it may be a constitutionally accurate response.
16 Recognition of the antecedent dignity concerns what happened historically and legally, not a fresh act of honour.
17 Recognition presupposes an existing dignity and a lawful line of descent. It does not itself create the historical fact of original creation.
18 This distinction protects the Edgar case from being reduced to a request for a fresh honour. The petition concerns an antecedent alleged dignity.
19 Erskine May's peerage-claim material is relevant to the modern process. A claimant must prove creation, limitation, descent, survival and the absence of a terminating event.
20 This transition carries the inquiry forward into forfeiture, restoration and descent without prejudging the result.
21 Extinction may allow historical acknowledgment or new creation, but not recognition of an existing holder.
22 Abeyance requires identification of co-heirs and possible termination within the co-heir field.
23 A new creation may commemorate Edgar. Historical recognition addresses whether Edgar probably held an earlier dignity.
24 A new honour can acknowledge historical significance symbolically, subject to modern constitutional practice.
25 The Roll of the Peerage records recognised peerages and holders for present constitutional purposes. It is a record of recognition, not a complete catalogue of every historical possibility.
26 Roll entry is the consequence of recognised entitlement. It is not a prerequisite to investigating an ancient claim.
27 Absence from the Roll means there is no current recognised living holder recorded there. It does not by itself prove that no ancient dignity was ever created.
28 Palmer states that where a patent cannot be found in the Patent Rolls or elsewhere, other evidence is resorted to. That principle supports inquiry where the original instrument is missing; it does not compel acceptance of every old tradition.
29 The original and Supplemental Petitions, preserved within the protected Heritage 1066 project archive, assembled the historical, title-tradition, legal and genealogical materials on which the prima facie case rested. The petition material is procedural and evidential; it is not an adjudication of the title.
30 The Oxford appellation appears in later title tradition and related materials. It remains the leading territorial identification, but it is less secure than the general proposition that Edgar was probably created or confirmed as an earl.
31 The staged method requires the inquiry to begin with creation or confirmation before territorial identity, hereditary limitation, survival and modern direction are considered.

32 Referral requires a defined question, source dossier, legal materials, genealogical tables and procedural competence. It cannot operate on an undefined or overclaimed proposition.
33 The invitation is significant because it shows that the missing original instrument did not close the inquiry at the threshold. It is best described in institutional and procedural terms without naming protected correspondents.
34 The invitation to submit further material was not recognition of the dignity, not entry on the Roll, and not determination of a holder.
35 The invitation did not decide that Oxford was the correct territorial designation. It allowed further presentation of the claim.
36 The invitation did not select among petitioners, sovereign direction, Hallifax direction, Lillee direction, Guest direction or any other possible line.
37 This is the correct procedural value of the invitation. It preserves the claim as examinable, not proved.
38 The official correspondence is best described institutionally and by procedural substance only. It preserved the possibility that the alleged antecedent creation could form part of a revived claim; it did not recognise the title.
39 Modern constitutional practice treats the sovereign's functions in relation to honours and peerage matters as exercised within law, advice and established constitutional forms, not as arbitrary personal preference.
40 Medieval kings possessed broad practical power to confiscate land or office after rebellion. The legal effect upon an incorporeal hereditary dignity must still be tested separately.
41 Office, command, jurisdiction and revenue could be regulated, removed or reassigned by royal authority. Those acts may affect the material support of a dignity without necessarily determining the dignity itself.
42 Pardon may remove or mitigate punishment. It does not automatically restore land, office, title or dignity unless its terms or legal effect support that result.
43 The same royal act may have different consequences for land, office, personal liberty, revenue and dignity. Chapter 21 therefore continues the land-office-dignity separation established in Chapter 20.
44 William's legitimacy was expressed through coronation, ecclesiastical recognition, legal continuity and royal justice as well as conquest. This supports treating his acts as acts of kingship, not merely battlefield seizure.
45 Public office and jurisdiction were more directly subject to royal control than a hereditary dignity, if such a dignity had already vested under a lawful limitation.
46 Military command, local jurisdiction and revenue may be withdrawn or reassigned without necessarily extinguishing the dignity to which they had been connected.
47 Domesday's record of land in the king's hand may reveal present possession in 1086, but not the full legal pathway by which that possession arose.
48 Edgar's submission to William brought him into the new king's peace and created obligations of loyalty. Later breach could justify serious consequences.
49 Rebellion gave William strong political and legal grounds to remove land, office, revenue or favour. It does not automatically identify the precise effect upon a hereditary dignity.
50 Defeat may produce practical loss. Legal extinction, forfeiture, suspension, restoration or survival is proved by evidence directed to the dignity.
51 A formal judgment would be strong evidence of forfeiture, but no such judgment naming Edgar's alleged Earldom of Oxford has been identified.
52 Permanent forfeiture is not inferred merely from rebellion or later silence. It requires evidence such as judgment, public act, recognised custom, formal seizure or consistent treatment sufficient to show legal deprivation of the dignity.
53 A public act of deprivation could support forfeiture if directed to the dignity. General political defeat or land loss is not enough by itself.
54 Recognised legal custom may define consequences of treason or rebellion, but its application to an eleventh-century dignity is established rather than assumed.
55 Formal seizures of lands may prove confiscation of land. It proves forfeiture of the dignity only if the dignity is shown to be legally affected by that seizure.
56 Long consistent treatment may be evidentially important. It may support extinction or non-recognition, but it is weighed against possible dormancy, abeyance, loss of evidence and later restoration.
57 This is the chapter's central negative finding on forfeiture. No identified surviving act expressly deprives Edgar of an Earldom of Oxford.
58 The lack of an express forfeiture does not prove the dignity survived. It only prevents permanent forfeiture from being treated as established by the known record.
59 This is the proper evidential consequence of silence.
60 Personal pardon and property restoration are distinct. A pardon may free or protect the person while leaving forfeited property or honours unrestored.
61 Restoration of an old dignity would require a legally effective act directed to the existing or forfeited right.
62 A later grant may be a new creation rather than restoration of the same dignity. The distinction matters because a new creation would have its own date, limitation and legal identity.
63 The 1074 reconciliation and Henry I's later release of Edgar show rehabilitation or clemency more strongly than formal restoration of the alleged Oxford dignity.
64 The Titles Deprivation Act 1917 is useful only by analogy. It shows deprivation and restoration as legally distinguishable concepts. It does not govern eleventh- or twelfth-century events.
65 A petition or question held in procedural abeyance is not the same thing as a dignity legally held in hereditary abeyance among co-heirs.

66 Recognition of a sole heir depends upon proving the original creation, limitation, descent and survival. It does not involve selection among unrelated candidates.
67 Under an heirs-general model, an impartible dignity may fall into abeyance among equal co-heirs. The title remains one dignity.
68 The Crown's power to terminate abeyance operates among lawful co-heirs. It is not arbitrary power to grant the ancient dignity to any chosen person.
69 If all competing co-heir lines fail except one, the surviving representative may become sole heir without a discretionary selection among equal co-heirs.
70 This distinction matters because recognition and abeyance termination are different constitutional acts.
71 The chapter's constitutional restraint is that a convenient or symbolically attractive result cannot substitute for proof of the title's lawful destination.
72 Royal descent from Margaret may be highly significant, but the descent of the Crown and the descent of a private hereditary dignity may diverge.
73 A documented Hallifax stream establishes a genealogical branch. It does not prove universal heirship, sole heirship or title possession without comparison against every senior and co-heir line.
74 Research and petitioning create evidence and procedural engagement. They do not create title ownership.
75 If a dignity lawfully reached the sovereign, that would be one result. A new honour created by the sovereign would be another.
76 The lawful result depends upon the original remainder, survival, absence of terminating act, and complete descent analysis.
77 Possible only if the whole right lawfully reached the Crown. It is not assumed from royal descent.
78 Merger would require separate constitutional analysis and would not be equivalent to a private claimant's recognition.
79 The modern sovereign's possible genealogical interest through Margaret is distinguished from the Crown's constitutional role in recognising or determining claims.
80 Merger or absorption in the Crown cannot be assumed merely from royal descent. The whole hereditary right must lawfully reach the sovereign or be resolved through a valid constitutional process.
81 A sovereign may descend from Margaret without thereby being proved holder of a separate private dignity.
82 If lawful co-heirs outside the sovereign line exist, the dignity cannot be assumed to have merged in the Crown without resolving those competing rights.
83 Possible if all competing lines but one failed or if rights otherwise lawfully reunited.
84 This is conditional. It does not state that the present sovereign holds the dignity. It states only that sovereign direction may become relevant if the legal and genealogical premises are proved.
85 The conditional wording remains in the published text.
86 This aligns with the Block Three staged remedy model: historical proof may exceed legal proof of present title consequence.
87 The absence of present recognition and the need for further proof do not amount to historical disproof.
88 Palmer's peerage-law method and modern claim procedure place the burden on the claimant to establish each necessary element. Antiquity may affect available evidence but does not remove the burden.
89 Ancient claims may rely on indirect, cumulative or substitute evidence where the original instrument is missing. The burden of proof remains.
90 Palmer's missing-instrument principle allows other evidence to be used where the originating patent or record cannot be found.
91 Old title traditions must still be tested for date, source dependence, wording, independence and relevance to the legal proposition claimed.
92 This is secure as legal and constitutional classification.
93 Supported by Palmer's principle, but always subject to the quality of the other evidence.
94 Supported by the principle of impartibility.
95 Supported by the function of the Roll as a record of recognised peers and holders.
96 Probable on the historical findings of earlier chapters: Edgar's submission, William's substantial landed provision, and the political need for proportionate incorporation.
97 Probable because rebellion would naturally lead to confiscation or removal of lands, office, revenue or favour.
98 This follows from the chapter's constitutional limit: prerogative cannot replace the original legal direction of a surviving hereditary dignity.
99 William I's original authority as possible creator or confirmer differs from the modern Crown's function in recognising or responding to a claimed dignity.
100 Possible because Edgar rebelled and later fought with Robert Curthose; unresolved because no express forfeiture of the alleged dignity is known.
101 Possible because reconciliation and release occurred; unresolved because no act restores the alleged Earldom of Oxford.
102 Possible only after complete comparison of all relevant senior and co-heir lines.
103 Remedy depends on classification: extinct, forfeited, restored, dormant, abeyant, merged, extant with sole heir, or historically probable but legally unresolved.
104 Chapter 21 supplies constitutional method. It does not validate the historical title or identify any holder.
105 This formula aligns Chapter 21 with the later Chapter 31 apparatus and preserves both restraint and evidential value.

106 This sentence remains as the chapter's summary of Crown capacity.
107 This is the chapter's summary of Crown limitation.
108 The petition process shows procedural openness to the antecedent-creation question. It does not determine creation, Oxford, hereditary character, survival or title direction.
109 The invitation was procedural, not adjudicative.
110 This is the chapter's final procedural finding.

This page is intentionally left blank.

PART VI — FORFEITURE, SURVIVAL AND DESCENT

This page is intentionally left blank.

CHAPTER 22
Rebellion and Practical Dispossession

The distinction

Edgar's rebellions produced real political and material consequences[1]. He could lose land, revenue, office, followers and the territorial structure sustaining his status[2]. This is practical dispossession[3]. Domesday is therefore powerful evidence for practical dispossession.[4]
Practical dispossession is distinguishable from permanent legal forfeiture of a hereditary dignity[5]. The known fact of loss cannot be expanded automatically into a legal conclusion for which no specific record survives[6].

Allegiance and departure from peace [7]

Edgar's probable comital settlement arose through submission[8]. If he then received rank and land, those benefits were held beneath William and upon fidelity to the settlement[9].
His later departure, northern resistance and foreign alliances repudiated that practical bargain[10] and supplied William with strong grounds to withdraw the settlement's material benefits[11].

Northern resistance and York [12]

The northern rising combined regional leaders, Danish intervention, Scottish support and Edgar's dynastic claim[13]. Edgar did not command every element[14], but he supplied a constitutional destination unavailable to the other leaders[15]. William's suppression, the recovery of York and the Harrying of the North destroyed the social and territorial environment from which Edgar could maintain another English royal court[16].

Destruction of the English base [17]

Castles, officials and redistributed estates broke the practical foundation of resistance[18]. If Edgar's earldom included household, revenues or administrative authority, the Crown had reason to remove those elements[19]. No schedule of "Edgar's forfeited lands" survives[20], but his later dependence upon Scotland, Flanders and France[21] indicates loss of the full original provision[22].

Domesday reference points [23]

Domesday can show that land had changed hands.[24] Domesday was ordered at Christmas 1085 and the inquiry was conducted in 1086[25]. It does not provide a continuous record from January 1066 to the survey[26]. Entries commonly compare TRE—the end of Edward the Confessor's reign—with an intermediate Williamian grant and the position "now" when reported in 1086.[27]
A statement that one person held TRE and another held in 1086 establishes snapshots, not the date, sequence or legal mechanism of transfer.

Great Chesterford

It cannot always identify whether the change arose by ordinary grant, conquest, forfeiture, purchase, exchange, surrender or royal demesne absorption.[28] If the Earl Edgar named at Great Chesterford was Edgar Ætheling, Domesday attributes the manor to him at the TRE reference point and identifies him by comital rank. It does not establish when he acquired that rank or when and by what legal mechanism the manor left his possession. No independent evidence presently confirms that Edward the Confessor or Harold II created Edgar an earl; the entry may employ a title acquired later, but that possibility also remains unproved.

The entry therefore supports change of tenure and possible dispossession. It does not prove confiscation, permanent forfeiture or a Williamian creation date.

Residual tenure and restoration [29]

Associations with Barkway and Hormead suggest that dispossession may not have been absolute or permanent. Edgar could lose a major original estate and later retain or recover smaller holdings.

A plausible sequence is substantial provision, loss during rebellion, partial restoration and later sale, exchange or departure. The surviving record cannot assign each step to a named manor.

No later attainder procedure

Edgar's first rebellion preceded the mature statutory law of treason and parliamentary attainder. William did not need later procedures to occupy rebel estates, but neither can every later incident of attainder be projected backward.

The relevant eleventh-century act must be reconstructed from contemporary practice rather than assumed as a complete later legal package.

Kingship and ambiguous allegiance

From William's perspective Edgar was a subject who had submitted and then rebelled. From Edgar's perspective resistance may have been restoration of a kingship conferred upon him before William's conquest.

The legal inquiry depends upon the allegiance Edgar accepted[30]; the political ambiguity explains why foreign rulers continued to treat him as more than an ordinary rebel[31].

Scotland, Flanders and France

Malcolm's protection, Flemish refuge and Philip I's proposed grant of Montreuil reveal the international consequences of dispossession[32]. A landless claimant remained prestigious[33]; a claimant with castle, estates and followers could again become dangerous[34]. William's later reconciliation reflects the same logic[35]: controlled provision within the realm was safer than an independent foreign base[36].

Reversible dispossession [37]

Practical dispossession could be reversed. The Crown might restore land, grant substitutes or preserve maintenance while withholding office[38]. Edgar's reconciliation in 1074 demonstrates that political exclusion was not irreversible[39].

Restoration of land, however, does not prove restoration of title[40]. The categories must remain separate[41].

Comparison with other rebels [42]

Waltheof, Roger of Breteuil and Ralph de Gael demonstrate the severity available to William[43]. Edgar's case was exceptional because of royal birth, international relationships and the diplomatic danger of martyrdom[44].

William's objective appears to have been control and neutralisation rather than uniform annihilation[45].

Two principal models [46]

Model A treats rebellion as permanently extinguishing the dignity[47], with later accommodation providing fresh land and honour only[48]. This explains the lack of continuous succession but lacks a surviving deprivation act[49].

Model B treats rebellion as practical dispossession with legal survival[50] or restoration[51]. This explains reconciliation and continued comital tradition[52] but lacks a surviving restoration and later recognised holder[53].

Tinchebray and repeated breaks [54]

Even survival through the first rebellion would not settle the matter[55]. Tinchebray in 1106 created a second possible point of dispossession[56]. Henry restored liberty but the effect upon title and property remains unknown[57].

Edgar's career therefore contains several possible breaks[58] that must be analysed separately rather than collapsed into one presumed forfeiture[59].

Historical findings

Secure or strongly supported: Edgar joined resistance[60]; lost the full practical position supplied after submission[61]; William suppressed the rising[62]; no express permanent forfeiture of Oxford survives[63]; Edgar reconciled in 1074[64]; Tinchebray created another possible break[65].

Probable: William withdrew substantial land and active authority[66]; dispossession served security as well as punishment[67]; 1074 restored substantial aristocratic standing[68].

Possible but unresolved: confiscation of Great Chesterford[69]; formal title forfeiture[70]; survival; restoration; surrender[71]; permanent extinction[72].

Chapter conclusion

Edgar was practically dispossessed[73]. William broke the material capacity from which he could exercise royal or comital power[74].

The survey snapshots, land loss and cessation of office do not by themselves prove permanent legal extinction of a separate dignity[75]. Reconciliation demonstrates political reversibility[76]. The next question is whether the dignity itself was permanently forfeited[77]. It is weaker evidence for the legal extinction of an incorporeal dignity.[78] The survey snapshots do not decide the title.[79]

Chapter 22 endnotes

1 For Edgar's rebellion, exile, reconciliation and later political reversals, see the Anglo-Saxon Chronicle, Orderic Vitalis, John of Worcester and Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985).
2 Rebellion could naturally lead to loss of estates, income, office, military following and court position. These were practical consequences even if the legal fate of any separate hereditary dignity remained unresolved.
3 "Practical dispossession" describes the loss of the material and political means by which rank is exercised. It is not identical with final legal extinction of a dignity.
4 Where land formerly associated with a claimant appears elsewhere by 1086, Domesday can show material displacement or changed possession.
5 This distinction follows from the land-office-dignity separation established in Chapters 19–21. Land, office, revenue and dignity may be connected, but they are not legally identical.
6 The surviving record supports severe disruption after rebellion, but no express act has been identified that permanently forfeits an Earldom of Oxford in Edgar's person.
7 Edgar's post-submission position depended upon the peace and settlement made with William. Later resistance therefore had consequences for allegiance as well as landholding.
8 The probable dignity belongs to the post-Hastings settlement in which Edgar relinquished operative kingship and entered William's order.
9 Any rank or land granted or confirmed by William after submission would have existed within William's kingship and would have required fidelity to the new order.
10 Edgar's association with Scotland, northern resistance, Danish intervention and later foreign support constituted a practical rejection of the first settlement.
11 William had strong grounds to confiscate or withdraw land, office, revenue and favour after rebellion. That does not by itself identify the legal fate of a hereditary dignity.
12 The northern rising is treated by the Anglo-Saxon Chronicle, Orderic Vitalis, John of Worcester and modern historians of the Norman Conquest as a major challenge to William's control.
13 The rising was a coalition rather than a movement wholly commanded by Edgar. Its elements included local aristocratic resistance, Scandinavian involvement, Scottish opportunity and the Wessex dynastic alternative.
14 The sources do not make Edgar commander of all northern, Danish or Scottish forces. His role was dynastic and political as much as operational.
15 Edgar's value lay in his capacity to represent lawful English royal continuity. Other rebels could resist William, but Edgar could embody restoration.
16 William's recovery of York and devastation of the north broke the material base of organised resistance. Orderic Vitalis's condemnation of the devastation is central, though numerical details require caution.
17 This analysis explains why practical dispossession is historically secure even where legal forfeiture is not.
18 Castle-building, Norman officials and redistribution of estates transformed the political landscape in which English resistance could operate.
19 This is a conditional statement. It assumes the probable dignity's material supports and explains why rebellion would imperil them.
20 No known record provides a complete schedule of estates forfeited from Edgar after the northern rebellion.
21 Edgar's refuge abroad is read as a consequence of dispossession and continuing dynastic value.
22 Edgar's movement through Scottish protection, Flemish refuge and Philip I's offer of Montreuil indicates that he no longer possessed a secure English territorial base adequate for independent action.
23 Domesday is crucial to practical dispossession, but it is used according to its own structure and purpose.
24 Domesday is strong evidence for landholding and changes in possession, but not necessarily for the legal cause of every transfer.
25 Domesday Book was compiled through the royal inquiry of 1086. Its reference structure is fiscal and tenurial, not biographical.
26 Domesday generally compares selected reference points rather than narrating every intermediate grant, confiscation, restoration or exchange.
27 TRE means the time of King Edward. Domesday's use of TRE and the 1086 "now" creates a snapshot structure that may omit the intervening history of Edgar's settlement, rebellion and reconciliation.
28 This limitation is central to Great Chesterford, Barkway, Hormead and any other landholding evidence connected with Edgar.
29 Possible because reconciliation occurred in 1074 and Edgar was later treated with honour, but no restoration instrument survives.
30 Edgar's submission placed him under William's peace. Later rebellion therefore created a legal and political problem different from resistance before submission.
31 Edgar's royal identity and prior kingship made him valuable to Malcolm III, Robert the Frisian, Philip I and later Robert Curthose. His rebellion did not reduce him to an ordinary outlaw in foreign eyes.
32 Scotland, Flanders and France each offered Edgar protection or opportunity because his identity could still be used against William.
33 Royal blood and dynastic memory could make a landless claimant useful even without independent territory.
34 Philip I's proposed grant of Montreuil shows why a territorial base mattered. It could turn Edgar from symbolic claimant into frontier threat.

35 William's reconciliation with Edgar in 1074 can be understood as containment: an accommodated Edgar within William's peace was safer than an exile with foreign patrons.
36 This interpretation aligns with William's repeated policy of honourable control rather than simple annihilation of Edgar.
37 Practical dispossession could be reversed or modified by later political settlement.
38 Reconciliation could produce several outcomes: restoration of some property, substitute grants, maintenance, honour, office, or merely personal safety. These is not collapsed.
39 The 1074 reconciliation shows that Edgar could return to William's peace after rebellion and foreign support. It does not prove complete restoration.
40 Land restoration, substitute support and dignity restoration are distinct legal possibilities.
41 Chapter 22 depends on this separation: practical loss, personal pardon, land restoration, office restoration and dignity survival are different questions.
42 Comparison with other rebels tests whether Edgar's treatment was ordinary or exceptional.
43 Waltheof, Roger of Breteuil and Ralph de Gael show that William could act severely against earls and rebels, including execution, imprisonment, dispossession and exile.
44 Edgar's royal blood, Scottish kinship and usefulness to foreign rulers made him politically different from many other rebels.
45 This is a historical inference from William's repeated willingness to receive, reconcile and contain Edgar rather than execute or permanently imprison him.
46 The chapter correctly reduces the post-rebellion legal analysis to two principal explanatory models while preserving subordinate possibilities.
47 Model A explains later silence and lack of recognised succession by treating rebellion as producing final extinction or forfeiture.
48 Under Model A, 1074 would be reconciliation or regrant, not restoration of the same dignity.
49 The weakness of Model A is the absence of an express record permanently depriving Edgar of the alleged dignity.
50 Possible because practical dispossession is not identical with legal extinction.
51 Model B separates material loss from legal title and allows survival, suspension, or later restoration.
52 Model B explains why later tradition could continue to remember Edgar as earl and why reconciliation may matter legally.
53 The weakness of Model B is the absence of a surviving restoration instrument and the absence of continuous recognised title usage or holder.
54 Tinchebray creates a second possible point of dispossession and is not merged automatically with the first rebellion.
55 If Edgar's dignity survived or was restored after the first rebellion, later events could still affect it.
56 Edgar's capture with Robert Curthose at Tinchebray gave Henry I a separate occasion to punish, pardon, dispossess, restore or leave unresolved Edgar's property and status.
57 Edgar's release proves liberty or personal pardon more securely than restoration of property or dignity.
58 The possible breaks include rebellion after submission, dispossession after the northern rising, reconciliation in 1074, Tinchebray in 1106, and later quiet retirement.
59 Each event is analysed separately because each may have different legal consequences.
60 Supported by the Anglo-Saxon Chronicle, Orderic Vitalis, John of Worcester and Hooper's reconstruction.
61 Strongly supported by his later dependence on Scotland, Flanders, France and renewed reconciliation, although the exact lands lost are not scheduled.
62 Supported by the narrative tradition concerning York, Danish intervention and William's northern campaign.
63 No identified surviving act expressly forfeits an Earldom of Oxford from Edgar.
64 Supported by the Anglo-Saxon Chronicle and later reconstructions of the Flanders–shipwreck–Malcolm–William sequence.
65 Supported by Edgar's capture with Robert Curthose and Henry I's subsequent release of him.
66 Probable because rebellion would naturally end the material benefits of Edgar's first settlement, and Edgar's later conduct shows loss of secure independent support in England.
67 William's aim was not only retribution but prevention of renewed English or foreign-backed restoration around Edgar.
68 Probable because Edgar returned to William's peace and later appears capable of high aristocratic activity, including the 1086 Apulian expedition.
69 Possible only if Great Chesterford is correctly connected with Edgar. The Great Chesterford identification remains disputed and cannot carry the argument alone.
70 Possible because rebellion provided grounds for punishment, but no express forfeiture of the dignity survives.
71 Possible because negotiated settlements can include surrender of rights, but no terms of surrender of a dignity survive.
72 Possible because rebellion and later silence are serious adverse evidence, but extinction is not self-proving from those facts alone.
73 This is the chapter's central positive conclusion and is strongly supported by the historical sequence.
74 William's suppression of resistance, destruction of northern support and redistribution of land broke Edgar's practical base.

75 This is the chapter’s central restraint. Domesday and land loss show material change; they do not necessarily determine an incorporeal dignity.
76 The 1074 settlement shows that William could restore peace, honour or provision after rebellion.
77 This is the correct transition to Chapter 23. Chapter 22 establishes practical dispossession; Chapter 23 tests permanent forfeiture.
78 Domesday is not a peerage roll and does not usually record the legal survival or extinction of dignities.
79 Snapshot evidence is integrated with narrative, legal, title-tradition and later recognition evidence.

CHAPTER 23
Was the Dignity Permanently Forfeited?

The legal question

Practical dispossession does not answer whether Edgar's probable dignity was permanently forfeited[1]. Permanent forfeiture requires a lawful basis connecting conduct to the dignity itself[2]. No surviving record states that Edgar forfeited the Earldom of Oxford permanently[3]. The silence does not prove survival[4]; it means forfeiture must be inferred from circumstances[5].

Forfeiture and confiscation

Confiscation describes taking property; forfeiture describes the legal loss of the holder's right[6]. A manor may be occupied immediately while the hereditary status of a dignity remains unstated[7].

An incorporeal dignity could be forfeited[8], but its loss cannot be proved solely by physical seizure of land[9].

Eleventh-century law

Edgar's rebellion preceded the mature law of treason, attainder and corruption of blood[10]. Fealty and disloyalty carried grave consequences[11], but later doctrine cannot be imported as an automatic package[12].

The inquiry must identify the customary or royal act by which hereditary extinction would have occurred[13].

Breach of allegiance

Because Edgar submitted and received provision, renewed armed opposition could be characterised as repudiation of the grant's foundation[14]. A customary condition of loyalty makes forfeiture historically plausible[15].

The unresolved point is whether breach ended office and land only, deprived Edgar personally or extinguished a hereditary remainder for all successors[16].

Permanent-forfeiture model

Under the strongest extinction model, William created or confirmed Edgar, rebellion terminated the honour, and later reconciliation supplied new land or maintenance without reviving the first dignity[17].

This explains disappearance of estate; title use and recognised succession[18] and fits the later de Vere creation[19]. Its weakness is the absence of an identifiable deprivation act[20].

Temporary deprivation or restoration [21]

Under a temporary model, William removed land and office while Edgar remained outside the peace, and the dignity revived when allegiance was restored[22]. A related model accepts forfeiture but treats 1074 as restoration[23].

These models fit William's repeated accommodation[24] but lack express proof that Oxford was revived[25].

Surrender [26]

Edgar may have surrendered rights through negotiated peace rather than punitive judgment[27]. He had already relinquished operative kingship by agreement[28]. A later settlement might similarly address title or land[29].

No surviving terms establish such a surrender[30], so it remains possible rather than probable[31].

Absence of attainder and corruption of blood

No known attainder, statute or judgment corrupts Edgar's blood or disables all heirs[32]. Later collateral descendants cannot be assumed excluded by a consequence never shown to have been imposed[33].

The absence removes one obvious documentary route to hereditary extinction[34] but does not prove that early custom lacked equivalent effect[35].

Other rebels and Edgar's exception

Waltheof, Roger of Breteuil and Ralph de Gael show that William could destroy comital power[36]. Edgar's survival and repeated rehabilitation show exceptional treatment[37].

The distinction supports restraint in inference: William neutralised Edgar without necessarily applying the same final settlement imposed upon other earls[38].

Continued rank and title usage

Edgar's later high status weakens the idea of total civil destruction[39] but does not prove Oxford survived[40]. Royal birth alone could command honour[41]. Later title references may be retrospective[42].

Each comital usage must therefore be dated and interpreted according to whether it describes current possession, historical identity or antiquarian tradition[43].

Domesday and Great Chesterford

Domesday records defined reference points[44]. Great Chesterford, if Edgar's, shows a change from the TRE (Time of Rex Edward the Confessor) holder to royal possession in 1086[45]. It does not date the change or identify forfeiture[46].

Possible later use of comital title does not establish Edwardian or Haroldian creation; the evidence supports Williamian creation or confirmation.[47]

The de Vere creation and official forgetting

The later de Vere creation is significant negative evidence against active survival[48]. It suggests that the earlier title was treated as ended, forgotten or unavailable[49].

It does not decide whether that treatment was legally correct[50], whether an earlier dignity was dormant[51] or whether the Oxford attribution itself was mistaken[52].

The decisive tests of 1074 and 1106

The reconciliation of 1074 materially weakens an assertion of irreversible exclusion[53], but it does not prove title restoration[54]. Tinchebray creates another possible forfeiture even if the first dignity survived or was restored[55].

Henry's pardon establishes mercy and liberty, not the complete proprietary result[56].

Burden and standard

A survival claim must explain rebellion, lost restoration instruments, absent successors and the later title[57]. A permanent-forfeiture claim must explain the missing deprivation act, the effect of reconciliation and the applicable early law[58].

The standard is historical probability rather than absolute certainty[59]. Different stages may yield different conclusions[60].

Current assessments

After the first rebellion, practical dispossession is highly probable[61]; permanent forfeiture is plausible but unproved[62]. After Tinchebray, renewed opposition supplied another credible basis[63], but no surviving act establishes permanent deprivation or restoration[64].

The balanced finding is that the dignity's legal fate cannot be determined from defeat and land loss alone[65].

Historical findings

Secure or strongly supported: rebellion justified punishment[66]; no express permanent deprivation survives[67]; no later attainder doctrine can be assumed[68]; 1074 and 1106 restored Edgar to peace or liberty[69].

Probable: substantial elements of the original settlement were withdrawn[70]; permanent forfeiture seriously explains disappearance[71]; restoration or survival also remains serious[72]. Possible but unresolved: automatic customary forfeiture[73]; surrender; restoration; regrant[74]; survival to death[75]; collateral descent or extinction[76].

Chapter conclusion

Rebellion made forfeiture possible[77]. It did not make permanent forfeiture self-proving[78]. Great Chesterford records a tenure change, not the extinction of a dignity[79]. The reconciliations require separate analysis of restoration, regrant and accommodation[80].

Chapter 23 endnotes

1 Chapter 22 established practical dispossession: loss of land, office, revenue, followers and territorial capacity. Chapter 23 asks the separate legal question whether those losses permanently extinguished the dignity itself.
2 Forfeiture of land, office or favour does not automatically prove forfeiture of an incorporeal dignity. The record must show, or justify a strong inference, that the dignity itself was affected.
3 No identified surviving judgment, charter, writ, chronicle sentence, later official record or peerage determination expressly states that Edgar's alleged Earldom of Oxford was permanently forfeited.
4 Absence of an express forfeiture does not prove the dignity survived. It merely prevents permanent forfeiture from being treated as directly recorded fact.
5 The forfeiture case therefore rests on inference from rebellion, dispossession, disappearance of possession, later non-use, absence of recognised successors and later title history.
6 This distinction is essential. Confiscation may describe seizure of land; forfeiture describes loss of the legal interest or dignity itself.
7 The king's possession of a manor by 1086 may show a landholding change. It does not by itself identify the legal route or determine the fate of a separate title.
8 Later legal classification does not make a dignity immune from forfeiture. An incorporeal right can be affected by law.
9 Physical seizure or reassignment of land proves control of land. It proves extinction of the dignity only if the dignity is legally inseparable from that land or if the seizure is shown to operate upon the dignity itself.
10 Later doctrines of treason, attainder and corruption of blood is not imported wholesale into the eleventh century. They provide later analytical vocabulary, not automatic rules governing Edgar's case.
11 Although later doctrine cannot be imported automatically, rebellion against a king after submission could have severe consequences in land, office, liberty and political standing.
12 This is the chapter's legal-anachronism control. Later legal doctrine may illuminate categories, but it cannot supply missing eleventh-century proceedings.
13 Permanent hereditary extinction requires more than general proof that Edgar rebelled. The analysis must identify a plausible mechanism: royal deprivation, customary forfeiture, surrender, extinction under limitation, later non-recognition or some legally effective equivalent.
14 Edgar's submission created allegiance to William's kingship. If William's settlement gave him land and rank, rebellion struck at the foundation of that settlement.
15 Forfeiture is historically plausible because medieval grants of land, office and favour depended upon fidelity. The question is whether that consequence reached the dignity itself and whether it was permanent.
16 This three-part distinction remains fixed: office and land, Edgar's personal right, and a hereditary remainder are different legal objects.
17 This model is coherent because it explains why no continuous title-use or recognised succession appears after rebellion.
18 Permanent forfeiture explains several adverse facts: loss of estate base, absence of continuous title usage, later non-recognition and the eventual dominance of the de Vere title tradition.
19 The later de Vere Earldom of Oxford is strong negative evidence against active recognised survival of any earlier Edgar dignity. It is not conclusive proof that no earlier dignity existed.
20 The permanent-forfeiture model lacks the strongest possible evidence: an express deprivation or forfeiture naming Edgar's alleged dignity.
21 Restoration is possible because Edgar returned to peace and status, but no restoration act is preserved.
22 This model separates practical dispossession from legal extinction and treats reconciliation as capable of restoring or recognising continued dignity.
23 Under this model the first dignity may have been forfeited, but later restored by William when Edgar re-entered his peace.
24 William repeatedly chose incorporation, supervision, reconciliation and containment rather than execution or permanent imprisonment of Edgar.
25 No surviving instrument states that William restored Edgar's alleged Earldom of Oxford in 1074.
26 Surrender is possible because Edgar repeatedly entered negotiated settlements, but no surrender terms survive.
27 Surrender is a possible third model. A negotiated settlement might include relinquishment of rights without a punitive forfeiture proceeding.
28 Edgar's 1066 submission shows that negotiated relinquishment of high political claim was possible in his career.
29 The possibility is historically intelligible, but no surviving document supplies the terms of such a later settlement.
30 No instrument records Edgar surrendering an earldom or all hereditary claims attached to it.
31 Surrender remains a possible explanation because negotiated peace occurred; it is not probable enough to become the chapter's finding because the terms are lost.
32 No later-form attainder, statute or judgment has been identified that disables every potential heir of Edgar's alleged dignity.
33 Collateral descent cannot be rejected merely by assuming corruption of blood or equivalent hereditary disability without evidence.

34 Lack of an attainder-like record removes one clear route to extinction, but only because no such record is known.
35 This caveat is essential. Eleventh-century forfeiture might operate through custom, royal act or political-legal practice without taking later statutory form.
36 The rebellion of 1075 demonstrates that William could punish earls severely by execution, imprisonment, dispossession or exile.
37 Edgar was not treated identically to all other rebels. His royal blood, Scottish kinship and diplomatic value made him exceptional.
38 This is a cautious comparative inference. Edgar's exceptional treatment prevents an automatic analogy from other rebel earls.
39 Edgar's later Apulian expedition, role with Robert Curthose, Scottish restoration and Tinchebray presence show continuing public status.
40 Later high rank may arise from royal birth, kinship, reputation, foreign service or new grants. It does not prove survival of a particular English dignity.
41 Edgar's status as Ætheling and former constituted king could command honour independently of an operative earldom.
42 Later title usage is tested for whether it records contemporary possession, historical memory, antiquarian reconstruction or inherited source dependence.
43 This is the correct method for all later comital references to Edgar.
44 Domesday compares selected fiscal and tenurial reference points, especially TRE and the 1086 position. It does not narrate every intervening legal event.
45 This statement is conditional because the Great Chesterford identification remains disputed.
46 Even if Great Chesterford belonged to Edgar, Domesday would show a tenure change by 1086 more clearly than the cause, date or legal character of that change.
47 The Great Chesterford material does not prove too much. It cannot prove Haroldian creation, Williamian confirmation, Oxford identity, permanent forfeiture or survival without separate evidence.
48 The later de Vere Earldom of Oxford suggests that any earlier Edgar dignity was no longer openly recognised, available or operative in the ordinary title record.
49 These are alternatives, not identical conclusions. The later creation may imply extinction, dormancy, abeyance, official forgetting, mistaken title tradition or separate creations.
50 Later official or historical treatment can be wrong or incomplete. Its evidential weight is serious but not automatically conclusive.
51 Dormancy remains possible if a lawful heir existed but was unknown, unproved or not recognised.
52 The de Vere creation also leaves open the possibility that Edgar's probable comital rank existed but was not truly Oxford.
53 Reconciliation shows that Edgar's exclusion after rebellion was not necessarily permanent in every respect.
54 Reconciliation proves renewed peace and accommodation more securely than restoration of the same dignity.
55 Edgar's capture with Robert Curthose in 1106 supplied Henry I with a separate possible basis for punishment, deprivation or altered settlement.
56 Edgar's release after Tinchebray proves personal clemency more strongly than restoration of land or dignity.
57 The survival model carries a heavy burden because it must account for adverse evidence: rebellion, silence, lack of restoration record, lack of visible successors and the later de Vere creation.
58 The forfeiture model also carries a burden: it must explain why no express deprivation survives and how reconciliation affected, or failed to affect, the alleged dignity.
59 Chapter 23 applies historical probability to competing models. It does not issue a judicial or official peerage determination.
60 the study may find probable creation while leaving Oxford, hereditary limitation, survival and modern direction less certain.
61 The rebellion and Edgar's subsequent reliance on Scotland, Flanders and France support practical dispossession very strongly.
62 Permanent forfeiture is plausible because rebellion gave William a strong ground for deprivation and because later continuity is weak. It remains unproved because no express deprivation act survives and reconciliation complicates the inference.
63 Edgar's association with Robert Curthose at Tinchebray created another occasion for Henry I to punish or deprive him.
64 Neither Henry's permanent deprivation of the alleged dignity nor restoration of it is recorded in surviving evidence.
65 This sentence remains central. Defeat and land loss are powerful but not decisive for an incorporeal dignity.
66 Edgar's rebellion after submission gave William strong grounds for punishment, confiscation or exclusion.
67 No surviving act expressly forfeits the alleged Earldom of Oxford permanently.
68 Later attainder and corruption-of-blood doctrine cannot be imported automatically into the eleventh century.
69 The 1074 reconciliation restored Edgar to William's peace; Henry's post-Tinchebray treatment restored Edgar's liberty. Neither fact alone determines title restoration.
70 Rebellion and subsequent exile make withdrawal of land, office, revenue or favour highly probable.
71 Permanent forfeiture is one serious explanation for disappearance of active title use, estate continuity and recognised succession.

72 Restoration or survival remains serious because reconciliation, later high status and lack of express forfeiture prevent extinction from being self-proving.
73 Automatic customary forfeiture is possible but unproved because the applicable early rule has not been identified with sufficient precision.
74 Regrant is possible if the first dignity ended and a new grant or honour replaced it. No second creation is securely recorded.
75 Survival to Edgar’s death is possible if rebellion did not extinguish the dignity or if it was restored. It remains unresolved because later title use and succession are not continuous.
76 Collateral descent depends upon creation, hereditary limitation, survival and absence of Edgar’s own lawful issue. Extinction depends upon the limitation and any lawful terminating event.
77 This is the chapter’s strongest safe statement in favour of forfeiture.
78 This is the chapter’s principal restraint.
79 Domesday landholding evidence cannot alone establish the legal extinction of an incorporeal dignity.
80 This final sentence prepares Chapter 24, where the models of restoration, regrant and accommodation are separated.

CHAPTER 24
Restoration, Regrant or Accommodation

Distinct models

Edgar's repeated reconciliations cannot be described adequately by the single word pardon[1]. Pardon concerns liability; restoration revives lost rights; regrant creates a fresh interest; accommodation may combine mercy, land, honour and allegiance without resolving every legal question[2].

Each model produces different consequences for priority, remainder and collateral descent[3].

The settlement of 1074

After Flanders, Philip I's offer and shipwreck, Malcolm III counselled Edgar to make peace[4]. William had secured the realm; Edgar had lost followers and an independent base[5]. Reconciliation served both sides[6].

The settlement returned Edgar to the king's peace, ended foreign-supported opposition and supplied enough support for continued high rank[7]. It achieved more than bare survival[8].

Restoration

If the dignity had been forfeited, restoration would revive the same creation and ordinarily preserve its original priority and remainder[9]. This requires proof that William intended to restore more than land and protection[10].

No restoration instrument survives[11]. The breadth of rehabilitation and any post-1074 comital usage provide the principal circumstantial support[12].

Regrant

William may instead have treated the first settlement as ended and conferred a fresh comital position[13]. A new grant could use different estates, restrict authority or be personal for life[14]. Regrant would break legal continuity unless its own terms admitted hereditary descent[15]. No source names a second creation[16].

Accommodation without title[17]

The most cautious model is honourable accommodation as Ætheling, with land or income but no restored earldom[18]. Royal birth alone explains high standing and foreign reception[19]. This fits narrative silence and absence of successors[20], though silence may result from use of the more distinctive royal designation and loss of legal records[21].

Accommodation as umbrella

Political accommodation could include pardon, homage, protection, selected lands, maintenance, revival or regrant of rank and surrender of other claims[22]. The sources may establish the broad settlement without preserving each component[23].

This is the safest general description of 1074 while the narrower title consequence remains unresolved[24].

Land and Great Chesterford

Edgar's later resources do not identify whether original estates were restored, substitutes granted or foreign patronage supplied maintenance[25]. Great Chesterford cannot fill the gap because its Domesday entry does not narrate post-rebellion transactions[26].

Renewed landed provision is stronger evidence than full legal restoration of Oxford[27].

The continuing designation Ætheling

Chroniclers could describe Edgar adequately through Ætheling and omit a subordinate earldom[28]. Absence of "earl" is therefore less decisive than for an ordinary noble.[29] Conversely, continued use of Ætheling cannot establish a comital dignity beneath it[30].

Robert Curthose and the settlement of 1091

Robert's Norman grants demonstrate Edgar's ability to receive new territorial provision but do not restore an English title[31]. Their later loss in the brothers' settlement shows that Edgar's interests could be negotiated by greater rulers[32].

Reconciliation with William Rufus in the 1091 setting again establishes political accommodation more readily than restoration of Oxford[33].

Tinchebray and Henry I

Henry's release of Edgar after Tinchebray is the final major act of mercy[34]. It may have been a bare pardon, a broad rehabilitation or confirmation[35] of rights never forfeited[36].

No surviving act states whether land or dignity was restored[37]. Queen Matilda's kinship makes generosity plausible but not provable.

Restoration versus new creation

A restored dignity looks backward and preserves the original title history[38]. A new creation begins a new priority and may contain different terms[39]. This distinction is essential because collateral descent depends upon continuity[40].

Confirmation is another possibility[41]: William may have regarded the original dignity as surviving and merely removed doubt when Edgar returned to peace[42].

Oxford as a separate proposition

Even if comital rank was restored or regranted, the Oxford designation needs separate proof[43]. William could restore Edgar as an earl while associating him with different estates or no active county office[44].

The antiquarian tradition may preserve the title name, but no 1074 act using Oxford survives[45].

The prima facie gateway and supplemental petition

Evidence gathered by Guest established a prima facie case for Williamian comital creation and led to the invitation for a supplemental petition[46]. Much of the evidence bore the Oxford appellation, but the initial gate concerned creation[47].

The supplemental petition was the mechanism for examining territorial identity, hereditary character, forfeiture, restoration and descent[48]. The invitation was not a determination of any of those questions[49].

Evidence for each model

Restoration is supported by William's repeated preference for incorporation, Edgar's return to peace and renewed standing, and continued comital tradition[50]. Regrant is supported by changed political circumstances and the possibility that the first settlement ended completely[51].

Accommodation-only is supported by narrative silence, royal status sufficient to explain honour and the absence of recognised successors[52]. None eliminates the others[53].

Effect upon descent

An original dignity restored would retain the original limitation[54]. A new hereditary grant would follow new terms[55]. A life grant would expire[56]. Accommodation without title would produce no descendible dignity[57]. If rebellion affected only land and office, the original dignity might continue without any restorative act[58].

The later genealogy cannot proceed conclusively until this legal condition at Edgar's death is addressed[59].

Current historical assessment

Edgar's reconciliation with William I in 1074 constituted a substantial political rehabilitation[60] and restored him to the king's peace, honour and material support[61].

It is plausible that William restored or reconfirmed Edgar's comital rank[62], but no surviving evidence establishes whether the original dignity was revived, a new dignity was granted or Edgar received honourable accommodation without an earldom[63].

Henry's pardon after Tinchebray restored liberty[64], but the record does not establish restoration of land or dignity[65].

Historical findings

Secure or strongly supported: reconciliation in 1074[66]; return to peace and material support[67]; distinction between pardon, restoration, regrant and accommodation[68]; no express Oxford restoration in 1074, 1091 or 1106[69].

Probable: 1074 was broader than bare pardon[70]; William sought to remove Edgar from foreign patronage[71]; Edgar regained substantial aristocratic standing[72].

Possible but unresolved: restoration of the original earldom[73]; confirmation; second hereditary or life grant[74]; accommodation without title; restoration after Tinchebray[75]; unresolved survival at death[76].

Chapter conclusion

Edgar was reconciled[77]. Whether he was restored is narrower and more difficult[78].
The surviving evidence proves peace, honour and support[79]. It does not choose conclusively among restoration, regrant, confirmation, limited accommodation or survival without forfeiture[80]. Before collateral descent can be asserted, a legally surviving or restored hereditary dignity at Edgar's death must be shown[81].

Chapter 24 Notes

1 For Edgar's 1074 reconciliation, later political movements and final years, see the Anglo-Saxon Chronicle, Orderic Vitalis, William of Malmesbury and Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985).
2 These categories remains distinct. Pardon, restoration, regrant and accommodation may occur together, but they have different legal and historical consequences.
3 A restored dignity preserves continuity with the original creation; a new grant begins a new title history; accommodation without title creates no descendible dignity; survival without forfeiture may require no restorative act at all.
4 The Anglo-Saxon Chronicle, annal 1074, supplies the principal sequence: Edgar's return from Flanders, honourable reception in Scotland, Philip I's offer, the failed voyage, Malcolm's counsel and reconciliation with William.
5 By 1074 Edgar had lost the practical bases of renewed restoration: northern resistance, Danish intervention, open Scottish backing, Flemish refuge and the proposed French base.
6 Reconciliation removed Edgar from foreign patronage and gave him safety and support. It served William's security and Edgar's survival.
7 The evidence supports renewed peace and substantial aristocratic support more strongly than it supports a precise legal restoration of the alleged dignity.
8 Edgar's later capacity to lead a substantial expedition, associate with Robert Curthose, restore his nephew in Scotland and appear at Tinchebray shows that the settlement did not leave him politically insignificant.
9 Restoration looks backward to the original dignity. If effective, it ordinarily preserves the original title history and limitation rather than beginning a new dignity.
10 Restoration of land or maintenance does not automatically restore dignity. Evidence must show that the old title itself was restored or recognised as continuing.
11 No surviving act of 1074 expressly restores Edgar to an Earldom of Oxford or to any named comital dignity.
12 Later status and comital references may support restoration circumstantially, but they do not provide the missing legal terms.
13 Regrant is a separate model. It accepts that the first dignity or settlement may have ended and that any later honour was newly conferred.
14 A second grant need not reproduce the first. Its estates, limitation, duration and authority would depend upon its own terms.
15 If the 1074 arrangement was a fresh grant, later collateral descent would depend upon that grant's terms, not merely the first settlement.
16 No surviving source states that William made a second comital creation for Edgar in 1074.
17 Possible because royal birth, land and honour could explain Edgar's later standing without a restored earldom.
18 Accommodation without title is the minimum model supported by the evidence: peace, honour, support and royal control.
19 Edgar's status as Ætheling, former constituted king and brother of the Queen of Scots could explain honourable treatment even without a restored comital dignity.
20 The accommodation-only model explains why no continuous succession or later recognised holder appears, but silence is not conclusive.
21 Chroniclers may have preferred "Ætheling" because it identified Edgar more distinctively than a subordinate earldom. Record loss may also obscure the legal result.
22 "Accommodation" is the safest umbrella term where the broad settlement is visible but individual legal components are not preserved.
23 The narrative sources are strong on reconciliation and peace. They are weaker on technical legal consequences.
24 The safe conclusion is that 1074 was a substantial accommodation. Restoration of the same dignity remains possible but unproved.
25 Later material support proves that Edgar was maintained; it does not identify the legal source or continuity of the estates.
26 Great Chesterford, even if connected with Edgar, would show landholding or transfer more directly than restoration, regrant or legal survival.
27 The evidence supports renewed land or support after reconciliation more strongly than restoration of a named Earldom of Oxford.
28 The designation Ætheling carried royal and dynastic meaning. Its continued use may explain absence of a lesser title in narrative sources.
29 Edgar's royal designation was more distinctive than comital rank, so silence about "earl" cannot be weighed exactly as it would be for a non-royal aristocrat.
30 The argument cannot run in the opposite direction automatically. Ætheling proves royal identity, not comital status.
31 Orderic Vitalis's account of Robert Curthose's favour and grants to Edgar supports high status and new provision, but not restoration of an English dignity.
32 Edgar's fortunes under Robert Curthose depended upon Robert's political position and accommodation with William Rufus.

33 The 1091 context shows Edgar's vulnerability within larger Anglo-Norman politics. It does not supply a restoration act for the alleged Oxford dignity.
34 Orderic Vitalis records Edgar among the distinguished captives at Tinchebray. His later release shows clemency, not necessarily restoration of land or dignity.
35 Possible if the dignity had survived and William merely recognised continued status on Edgar's return to peace.
36 These three models remain open because no surviving act defines Henry's terms.
37 Henry's pardon restored liberty more securely than property or title.
38 Restoration continues the original creation and therefore matters directly for priority and descent.
39 A new creation is not the same dignity unless the act legally revives or confirms the earlier one.
40 Later collateral descent through Christina, Margaret or any later branch depends upon a surviving or restored hereditary dignity, not merely upon a new personal honour.
41 Confirmation would mean William regarded the dignity as surviving and removed doubt by recognising or confirming it when Edgar returned to peace.
42 This model avoids both permanent forfeiture and fresh creation, but it is not expressly recorded.
43 Rank and territorial designation remain separate. Restoration of "earl" would not automatically restore "Oxford" unless that title was part of the restored or surviving dignity.
44 Comital ranks could be honourific or controlled without a compact territorial office. This prevents Oxford from being assumed at the restoration stage.
45 The Glover–Milles–Martyn–Hume title tradition remains relevant to Oxford, but it does not provide a surviving 1074 restoration formula.
46 The petition evidence established a procedural threshold for fuller examination. It did not determine creation, Oxford, hereditary character, survival or descent.
47 This distinction is crucial. A weakness in Oxford does not necessarily defeat probable comital creation; a strength in creation does not prove Oxford.
48 The Supplemental Petition expanded the inquiry beyond creation into the legal consequences required for any modern title claim.
49 The invitation was procedural. It was not recognition of the dignity, not a Roll entry and not identification of a holder.
50 These are cumulative circumstantial supports for restoration. They are not equivalent to an express restoration instrument.
51 Regrant fits a model in which rebellion destroyed the first settlement and William later chose to provide a fresh honour or support.
52 Accommodation-only is the most cautious model because it requires no unrecorded restoration or second creation.
53 The evidence does not conclusively choose between restoration, regrant, confirmation, accommodation or survival without forfeiture.
54 If restored, the dignity's descent would continue according to the first creation's limitation.
55 A new grant's limitation would govern descent from the later act, not from the original settlement.
56 If the later arrangement was personal to Edgar for life, no collateral descent would follow.
57 Honourable accommodations may preserve status and livelihood without creating or restoring a hereditary title.
58 This survival-without-restoration model remains possible if the dignity was incorporeal and hereditary and was not legally forfeited.
59 Genealogy matters only after creation, hereditary character, survival or restoration, and lawful descent are established.
60 This is the strongest positive finding of Chapter 24.
61 Peace, honour and support are established more securely than title restoration.
62 Restoration or reconfirmation is plausible because of Edgar's renewed status, William's preference for incorporation and later comital tradition.
63 The chapter's central finding remains unresolved.
64 Henry's treatment of Edgar after Tinchebray proves release and mercy more clearly than restoration of land or dignity.
65 No act from Henry I has been identified restoring the alleged Oxford dignity or its estates.
66 Supported by the Anglo-Saxon Chronicle and modern reconstruction of the Flanders–shipwreck–Malcolm–William sequence.
67 Supported by the reconciliation narrative and Edgar's later capacity to act at aristocratic and princely level.
68 This distinction is legal-analytical and is necessary to avoid false conclusions from a single reconciliation event.
69 No surviving source names an express restoration of an Earldom of Oxford in any of these settlements.
70 Probable because Edgar received more than bare survival: he returned to peace, honour and material support.
71 William's political interest was to prevent Edgar from being used by Scotland, Flanders, France or other enemies.
72 Edgar's later career supports the conclusion that his status after 1074 was substantial.
73 Possible because reconciliation and renewed status occurred; unresolved because no restoration instrument survives.
74 Possible if William treated the first settlement as ended and granted a fresh dignity or honour with new terms.
75 Possible but unproved. Henry's release of Edgar does not identify title restoration.

76 Survival at Edgar’s death remains unresolved because the effect of rebellion, 1074, 1091 and Tinchebray is not conclusively determined.
77 This is the secure final result of Chapter 24.
78 This sentence remains as the chapter’s governing conclusion.
79 The evidence supports these propositions through the reconciliation narrative and Edgar’s subsequent status.
80 This final restraint correctly prevents Chapter 24 from resolving what Block Three continues to test.
81 This is the necessary transition into Chapter 25. Collateral descent cannot begin from genealogy alone.

CHAPTER 25
Collateral Descent to Heirs General

The possibility that Edgar Ætheling received or retained a hereditary comital dignity raises a question different from the historical inquiry into its creation. Creation asks whether William I probably incorporated Edgar into the post-Conquest settlement as an earl and whether Oxford was the leading territorial identification of that dignity. Descent asks what would have happened to the dignity after Edgar's death if it had survived the periods of rebellion, confiscation, reconciliation and political displacement examined in the preceding chapters.[1,2,3,4]

Those questions must remain distinct. A probable creation does not prove continuing survival. Survival does not establish present entitlement. Nor does the absence of a known modern holder demonstrate that no lawful descent ever occurred. Each stage requires its own evidence and its own conclusion.

The present chapter addresses the form of hereditary direction that would most naturally follow from an early dignity held without a surviving special limitation. The central proposition is that such a dignity, if hereditary and not validly extinguished, would presumptively descend to heirs general rather than being confined automatically to descendants in the male line. That proposition does not identify a present holder. It establishes the legal and genealogical route through which the inquiry must proceed.

The difference between hereditary character and present ownership

To describe a dignity as hereditary is not to say that its entire later history can be reconstructed immediately. Hereditary character concerns the capacity of the dignity to pass after the death of the first holder. Present ownership concerns the person in whom that right ultimately became vested after every intervening death, marriage, birth, failure of issue, co-heirship, forfeiture, restoration and settlement had been examined.

The two questions are separated by nearly nine centuries.

An inquiry beginning with Edgar cannot leap directly from an eleventh-century creation to a modern claimant. It must first determine the character of the original dignity. Only then can it examine the possible line of descent. Even where the broad genealogical direction is clear, the precise legal destination may depend upon matters that are not visible in an ordinary family tree.

A pedigree records descent from ancestors. A title claim requires more. It must identify the person through whom the dignity passed at each generation and determine whether any competing heir possessed an equal or prior right. It must also consider whether the dignity was in abeyance, whether a co-heirship was later resolved, whether a lawful surrender or extinction occurred, and whether the Crown or Parliament altered its descent.

The petitioners documented descent from Edgar's wider royal family therefore does not itself establish succession to the dignity. It establishes genealogical standing within a relevant line. The title inquiry remains narrower and more exacting.

The absence of a surviving special limitation

No surviving charter, writ, patent or other constitutive instrument has yet been found setting out the terms upon which Edgar's probable earldom was held. That absence prevents the original limitation from being quoted directly. It does not permit one to invent a male-only remainder, a life interest or a restriction to the body of the first holder.[5]

The historical evidence supports the probability of comital creation or confirmation more strongly than it supports any particular formula of inheritance. The proposed dignity belongs to a period before the later standardised form of letters patent. Its incidents must therefore be approached through the political and legal character of early hereditary honours, contemporary and later practice, and the absence of evidence for a special restriction.[6]

A limitation to heirs' male cannot be presumed merely because Edgar was a man or because later earldoms often descended through male lines. Medieval hereditary practice was not governed by a universal rule excluding women from transmitting dignities. Where a dignity was descendible in fee and no special limitation displaced the ordinary course, female inheritance and transmission remained possible.

The same caution applies to the suggestion that Edgar's probable dignity was personal to him for life. A life dignity is possible in principle, but the historical circumstances provide no secure evidence that William intended merely to grant Edgar a temporary title expiring at death. The political value of the settlement lay partly in recognising and containing a royal dynast within the new order. A hereditary dignity would have served that purpose more naturally than a purely personal courtesy, although the precise intention cannot now be proved from a surviving instrument.

The correct conclusion is therefore not that an heirs-general limitation has been demonstrated word for word. It is that, in the absence of evidence for a special limitation, heirs general provides the leading legal model through which the possible descent must be tested.[7,8]

Fee simple as an explanatory legal model

The expression "fee simple" belongs to a legal vocabulary that developed and became more precise after Edgar's lifetime. It should not be projected backwards as though William I necessarily used the later technical phrase when establishing Edgar's rank. Its value lies in explaining the hereditary quality of a dignity held without an identified special remainder. In that explanatory sense, a dignity held in fee simple was capable of descending to the general heirs of the holder. The course of descent was not restricted automatically to sons or to the unbroken male line. A daughter could become an heir. A sister or the descendants of a sister could inherit collaterally where the holder died without lawful issue and no closer line remained.

This model also distinguishes the dignity from the lands, revenues and offices that may originally have supported it. An earl could lose estates, castles, revenues or local authority without every legal incident of the personal dignity necessarily disappearing at the same moment. Conversely, possession of former comital lands would not by itself confer the dignity upon a later landholder.[9]

The title was an incorporeal hereditament: a hereditary legal dignity rather than a parcel of physical property. It could not be occupied, divided or transferred in the same manner as an estate. Its descent might be affected by the same deaths and family relationships that governed other inheritances, but its nature remained distinct.

That distinction becomes essential when the line reaches more than one co-heir.

One dignity and one ultimate lawful holder

A hereditary dignity is impartible. It is not divided into fractions when two or more persons possess equal hereditary claims.[10]

Where land descended to daughters, the estate could sometimes be partitioned physically or economically. A peerage dignity could not be divided in that way. No daughter became holder of one-third of an earldom while her sisters held the remaining thirds. The title remained one legal entity.

Accordingly, the title is not divided among equal co-heirs.

Where equal co-heirs existed, each could possess a competing right to the whole dignity, but none held a separate fractional title. The resulting legal condition could be described as an abeyance: the active exercise of the dignity was suspended because the right had become distributed among persons of equal hereditary standing.[11,12]

The abeyance might later end if all competing rights became united in one descendant. It might also be terminated by lawful Crown action where the constitutional power to do so existed. Until such resolution, the dignity remained incapable of being exercised by several persons jointly.[13]

This principle prevents a common genealogical error. A pedigree may show thousands of descendants of a medieval ancestor, but the existence of many descendants does not create thousands of title-holders. Most descendants will not stand in the line of legal succession at all. Others may descend from co-heirs whose rights remained separate or were later extinguished. The task is to identify the one line in which the whole right ultimately consolidated, or to establish that no such consolidation can presently be proved.

Edgar's own issue

The first question in any descent from Edgar is whether he left a lawful child. Sir Bernard Burke & John Burke (1848, p261) in their publication, "Royal Families of England, Scotland, and Wales," makes Edgar dead, without issue.

No secure contemporary or near-contemporary evidence has established a wife or legitimate issue. Later genealogical assertions occasionally attach spouses or descendants to prominent medieval figures where the surviving sources do not support them. Such claims cannot be accepted merely because they provide a convenient continuation.[14,15]

The absence of proven issue must nevertheless be expressed with care. Historical silence is not identical to biological certainty. Edgar lived into advanced adulthood, travelled widely and maintained relationships with several courts. It is possible that evidence of a marriage or child was lost or never recorded in surviving narrative sources.

The present record supports the conclusion that no lawful wife or issue has been securely identified. It does not justify an absolute declaration that Edgar never married or never fathered a child.

For the purpose of a title-direction inquiry, the distinction is decisive. A proven lawful descendant would take priority over collateral relatives. Until such a descendant is established, the inquiry proceeds provisionally upon the basis that Edgar died without proven lawful issue. That provisional basis opens the collateral succession through his siblings.

The sibling structures

Edgar was one of the three known children of Edward the Exile and Agatha who returned to England in 1057. His sisters were Christina and Margaret.

A collateral descent from Edgar must examine both sisters before moving into Margaret's well-documented royal posterity. The inquiry cannot pass directly to Margaret merely because her descendants are numerous and historically prominent. Christina's position must first be resolved.

If Christina survived Edgar and possessed lawful issue, her descendants could stand in a line that required consideration before or alongside the descendants of Margaret, depending upon the applicable order of kinship and the chronology of deaths. If Christina died without issue, the collateral direction would pass through Margaret.[16]

The sources associate Christina securely with religious life and with Romsey Abbey. She also appears as a woman of rank and property. Her religious profession, the absence of a credible spouse and the absence of identified children strongly support the conclusion that she died without issue.[17,18,19,20]

That conclusion remains historical rather than metaphysical. A complete title investigation depends upon the most authoritative evidence for her religious status, life and death and upon testing any claimed contrary pedigree. On the presently recoverable record, however, no reliable evidence displaces the understanding that Christina left no lawful descendants.

Margaret therefore becomes the principal recoverable collateral direction.

Margaret, Queen of Scots

Margaret's place in the family is not conjectural. She was Edgar's sister, the daughter of Edward the Exile and Agatha, and the wife of Malcolm III of Scotland. Through her children, the line of Edmund Ironside entered the Scottish royal house and later returned to the English monarchy.[21,22,23]

Her descendants did not inherit merely because they were royal. Their relevance arises from kinship to Edgar.

If Edgar held a hereditary dignity descendible to heirs general, died without lawful issue, and Christina left no issue, Margaret or her descendants would represent the surviving collateral family through whom the right could pass. Her marriage to Malcolm did not extinguish her hereditary capacity, nor did the royal status of her issue transform the title into a Scottish creation. The dignity, if it survived, would remain an English honour transmitted through an English royal heiress into another dynastic house.

The absence of a general Salic exclusion is fundamental. English hereditary law did not impose a universal rule by which a woman was incapable of inheriting or transmitting a dignity merely because a male-line descendant did not exist. Particular limitations could exclude women. General custom did not do so automatically.

Margaret's line must therefore be treated as a legally serious direction rather than a genealogical afterthought. The detailed descent through Margaret, David I and the later royal houses belong to the following chapter. The present point is narrower: a female collateral transmission is compatible with the presumptive heirs-general model and cannot be rejected merely because it interrupts the male line.

The position of Christina before Margaret

The order in which Christina and Margaret should be considered is not a matter of narrative preference. It depends upon their relationship to Edgar, their birth order where legally material, their survival and the existence or absence of issue.

The surviving evidence does not permit every aspect of their relative chronology to be stated with confidence. Modern accounts have not always agreed upon the sisters' order of birth. That uncertainty does not prevent the broad direction from being identified, but it reinforces the need for caution before declaring one person the exclusive heir at a particular date.

If Christina was the elder sister and survived Edgar, she may have possessed the first collateral right, subject to the relevant rules. If she had already died without issue, Margaret's descendants would provide the remaining direction. If Margaret predeceased Edgar, as she did, her right could nevertheless be represented through her surviving descendants.[24]

The title-direction inquiry therefore requires a chronological table rather than a simple family tree. It must place the deaths of Edgar, Christina, Margaret and Margaret's children in sequence and identify who represented each family line at each transition.

The broad conclusion remains stable: Christina must be audited and cannot be omitted; Margaret becomes the principal continuing line if Christina left no issue.

Representation through descendants

Collateral descent often proceeds through representation. A deceased sister's descendants may stand in the place of their parent when the succession opens.

Margaret died before Edgar. That fact does not necessarily remove her line. Her children survived and represented her blood relationship to Edgar. If the dignity descended collaterally after Edgar's death, the existence of Margaret's living issue would preserve the line that she herself would have represented.

The same principle becomes more complex in later generations. A child may predecease a parent while leaving descendants. Several branches may emerge. The title direction may pass into co-heirship among daughters or their representatives. A later marriage may reunite lines previously separated.[25]

This is why the descent cannot be identified simply by selecting the most prominent surviving descendant of Margaret. Seniority in an ordinary genealogical chart does not always establish legal heirship to an impartible dignity. Every intervening branch must be tested.

A lawful title descent requires exclusion as well as inclusion. It is not enough to show that a person descends from Margaret. It must also be shown that no line with a superior or equal right displaced or shared the claim.

Heirs general and the royal succession

The descent of a private hereditary dignity and the succession to the Crown are governed by related genealogical facts but are not the same legal process.[26]

Margaret's descendants entered both Scottish and English royal succession. Her daughter Edith, known as Matilda after marriage, became Queen of England as the wife of Henry I. Their descendants united Wessex ancestry with the Norman royal house. Later royal successions carried that ancestry through the Plantagenet, Tudor, Stuart and subsequent dynasties.

This royal continuity does not establish automatically that an Earldom of Oxford descended with the Crown. A dignity may pass to a sovereign and become merged, absorbed, suspended or otherwise affected by constitutional principles applicable to honours held by the Crown. Alternatively, the relevant heirs-general direction may at some stage, have departed from the line of royal succession.

The Crown follows its own constitutional rules. A peerage follows the limitation under which it was created or held. The two may coincide for a period and then separate.[27]

Accordingly, the modern sovereign may represent a leading constitutional destination of the line if the dignity survived and if all relevant rights ultimately consolidated there. That is a proposition for later proof, not a presumption to be asserted merely because the sovereign descends from Margaret.

The existence of a royal route is nevertheless important. It demonstrates that the collateral line did not disappear into genealogical obscurity. Margaret's descendants remained among the most extensively documented families in Europe.[28]

Genealogical descent of the petitioners

The three petitioners identified in the original proceedings possess documented genealogical relationships within lines descending from the wider family represented by Edgar and Margaret. Their evidence established their respective ancestral routes for the purpose of the petition. That genealogical work should not be understated. It identifies living persons connected through documented descent to the medieval family under examination and provides a legitimate basis for historical interest and advocacy.[29]

It must not be converted automatically into legal title ownership.

A petitioner may descend directly from Margaret and still lack the senior legal right to an impartible dignity. Another line may be senior. The right may be divided among co-heirs and remain in abeyance. It may have consolidated in the sovereign. It may have been extinguished by a legally effective forfeiture. It may never have survived Edgar's political dispossession. The distinction between descent and entitlement protects the integrity of the petition. It allows petitioners to present evidence without requiring them to assert a conclusion that the evidence has not yet established.

Darren John Halifax may represent the most senior known direct descendant within the documented Hallifax stream. That description is confined to the researched stream. It is not a declaration that he is the senior heir general of Edgar or the holder of a surviving earldom.[30,31] The same restraint applies to every petitioner.

Seniority and the danger of selective pedigrees

A pedigree can be entirely accurate and still be insufficient for a title claim.
Selective pedigrees commonly begin with a medieval ancestor, follow one chosen line to a modern descendant and demonstrate an unbroken biological connection. What they do not show is whether another line became senior at an earlier generation or whether an equal co-heir possessed a competing right.

An heirs-general investigation must expand horizontally at every generation where the succession could divide. All children must be identified. Daughters cannot be omitted because they married into another surname. Younger sons cannot be ignored where the elder line failed. Descendants of predeceased children must be traced through representation.

This process can create a vast genealogical field. The task is not to trace every descendant indefinitely, but to eliminate branches methodically according to the order of succession.
The surname Guest carries historical and project significance, but surname continuity is not title continuity. A dignity descending to heirs general may pass repeatedly through women and enter families bearing unrelated surnames. Conversely, a person carrying the surname Guest may descend from a collateral branch that never possessed the senior right.

The same principle applies to the names Hallifax (Halifax) and Lillee. Genealogical identity and hereditary entitlement overlap only where the line of legal succession is proved.

Co-heirship and abeyance

The most difficult point in an heirs-general descent often occurs when the line reaches daughters without a surviving brother.

Each daughter may become a co-heir. The dignity does not divide. The right to the whole becomes distributed among the co-heirs, placing the dignity in abeyance.

The term "abeyance" should not be confused with extinction. An extinct dignity no longer exists. A dignity in abeyance remains legally capable of revival if the competing rights are later united or if the Crown lawfully determines the abeyance in favour of one co-heir.
An abeyance may last for centuries. Successive generations can increase the number of persons representing the original co-heirs. Alternatively, marriages and failures of issue may gradually reunite the rights.

For Edgar's proposed dignity, a complete descent analysis would need to identify every point at which the line through Margaret produced co-heirs. It would then trace the representation of each share until one of three conclusions became possible:

- the whole right reunited in one person;
- the dignity remained in abeyance among multiple representatives;
- or a lawful event extinguished or redirected the right.

Without that analysis, no modern claimant can be declared the sole heir.

The Crown and the resolution of competing rights

The Crown's historical role in relation to abeyant dignities does not amount to an unrestricted power to select any preferred person.

Where a dignity was held in abeyance among co-heirs, the Crown could in appropriate circumstances terminate the abeyance in favour of one of them. That power operated within a recognised constitutional relationship to the existing hereditary rights. It did not convert the dignity into property available for diversion to a stranger with no lawful claim.

The distinction matters to the petitioners' position. They are not seeking a private acquisition detached from Edgar's line. Their historical case concerns recognition of an antecedent dignity and examination of its original character, survival and direction.

Before any question of terminating an abeyance could arise, the existence and legal survival of the dignity would have to be established. The co-heirs would then have to be identified. Only at that point could the constitutional consequences of divided rights be considered. The present inquiry remains several stages earlier. It seeks first to determine whether the heirs-general model is the correct direction of descent.

The role of extinction, forfeiture and restoration

No genealogical reconstruction can overcome a legally effective extinction.
If Edgar's dignity was permanently forfeited and never restored, no hereditary right passed at his death. If it was surrendered validly, extinguished by lawful act or replaced by a different settlement that terminated the original honour, later descendants could not revive it through genealogy alone.

The preceding chapters concluded that permanent extinction has not been proved merely by rebellion, loss of lands, political submission or absence from later lists. They also concluded that restoration or regrant remains possible but unresolved.

Chapter 25 therefore proceeds conditionally. It does not assume away the forfeiture problem. It identifies the direction that would follow if the dignity survived or was restored with its hereditary character intact. That conditional method is not evasive. It is the only way to keep separate questions from being made to prove one another.

Genealogy cannot prove creation. Creation cannot prove survival. Survival cannot prove present entitlement. Yet each can be examined sufficiently to determine whether the next stage is historically and legally arguable.

Non-use and the passage of time

The failure of later descendants to use the title does not necessarily interrupt hereditary descent. A dignity may fall into disuse because its existence is forgotten, because documentary evidence is lost, because the right is divided among co-heirs, because the family lacks the resources to pursue recognition, or because the political context makes assertion impractical.

Non-use may be powerful evidence against an alleged dignity where it is combined with other evidence of extinction. It is not invariably conclusive on its own.

The passage of centuries creates evidential difficulty, but it does not transform historical silence into a legal instrument. If an incorporeal hereditary dignity survived, its existence would not depend solely upon continuous social use by every generation. That proposition requires restraint. It does not mean that every forgotten medieval title remains extant. It means only that non-use and absence from later public recognition must be evaluated as evidence rather than treated automatically as an act of extinction. The later chapter on historical survival will examine that issue more fully. For present purposes, non-use does not prevent the heirs-general direction from being reconstructed conditionally.

The burden of establishing the line

The person asserting a modern right would bear the burden of proving it.[32] That burden would require more than a plausible pedigree. It would include:

- proof of the original dignity;
- proof of its hereditary character;
- proof that no effective extinction occurred;
- proof of Edgar's lack of lawful issue or the failure of any such issue;
- proof of Christina's lack of issue or the failure of her line;
- proof of descent through Margaret;
- proof of every intervening succession;
- identification and resolution of every co-heirship;
- and proof that the claimed right ultimately consolidated in the person asserted.

The standard applicable to a modern hereditary claim is not historical certainty beyond all imaginable doubt. It is nevertheless demanding. Missing evidence cannot be replaced by enthusiasm, and long pedigrees cannot be treated as self-authenticating.

The balance of probabilities may establish historical propositions where the evidence is incomplete, but each inference must remain grounded in admissible and credible material. The heirs-general model identifies the road. It does not prove that every bridge along it remains intact.

The leading collateral direction

Upon the presently recoverable evidence, the descent analysis can be stated with appropriate caution.

Edgar left no securely established lawful wife or issue. Christina is securely associated with religious life, and no credible spouse or descendants have been identified. Margaret had numerous lawful descendants through the Scottish royal house.

Accordingly, if Edgar held a hereditary dignity descendible to heirs general, if it survived or was restored after the political disturbances of his lifetime, and if Christina died without issue, the leading collateral direction passes through Margaret and her descendants.

That conclusion is stronger than a speculative genealogical possibility but weaker than a final adjudication of title. It identifies the family through which the descent must be reconstructed. The following chapter examines that direction through Margaret, David I and the later royal succession. It will distinguish blood descent from legal consolidation and determine how far the sovereign line can be treated as the principal constitutional destination.[33,34]

Chapter conclusion

The proposed Earldom of Oxford cannot be confined automatically to the male line merely because its first probable holder was male. No surviving instrument establishes a special male-only limitation. No general principle of English hereditary law excludes female transmission from the inquiry.

The leading model is therefore a hereditary dignity descendible to heirs general, subject to proof of creation, survival and the absence of a contrary limitation. Under that model, the title would remain one impartible dignity. It could not be divided among descendants. Where equal co-heirs arose, each would possess a competing right to the whole, producing the possibility of abeyance rather than fractional ownership.

Edgar's own lawful issue has not been securely established. Christina must be examined before Margaret, but the evidence strongly supports her religious profession and lack of descendants. His older sister Margaret consequently provides the principal recoverable collateral direction.[35] Her descendants do not become holders merely because they descend from her. The complete legal line must still be traced, every competing branch tested, every co-heirship resolved and every possible extinction or restoration examined.[36]

The chapter's conclusion is therefore conditional but substantial, if Edgar's probable dignity was hereditary, survived the political events of his lifetime and was not governed by a special limitation, its descent would proceed to heirs general. In the absence of lawful issue of Edgar and Christina, the principal collateral direction would pass through Margaret, Queen of Scots, and her descendants.[37]

That direction now leads to David I and the royal line.

Chapter 25 endnotes

1 Francis Beaufort Palmer, Peerage Law in England: A Practical Treatise for Lawyers and Laymen (London: Stevens and Sons, 1907), especially the discussion of dignities created without surviving patents, hereditary limitations, peerage claims and resort to collateral evidence where the original instrument cannot be found. Palmer's treatment supplies a later legal framework and is not evidence of the wording of any grant made to Edgar.
2 Sir William Blackstone, Commentaries on the Laws of England, Book II, chapter 3, classifying dignities and titles of honour among incorporeal hereditaments. The classification post-dates Edgar by centuries and is used analytically to distinguish an hereditary dignity from the corporeal lands, revenues and offices that might support it.
3 John Selden, Titles of Honor, 3rd ed. (London, 1672), particularly the treatment of early English earls, territorial denomination, public office and hereditary honour. Selden's account illustrates the historical development of the dignity but cannot reproduce the terms of Edgar's lost constitutive act.
4 William Stubbs, The Constitutional History of England in Its Origin and Development, vol. I (Oxford: Clarendon Press, revised eds.), on Anglo-Saxon ealdormen, Norman earls and the gradual development of hereditary territorial honours.
5 Francis Beaufort Palmer, Peerage Law in England, on the governing importance of the original limitation. A title restricted to heirs male, heirs of the body or another defined class cannot be redirected merely because a broader genealogical line can be shown. In the absence of the instrument, the limitation must be proved or inferred cautiously rather than invented.
6 Blackstone, Commentaries, Book II, chapter 3, on inheritance and incorporeal hereditaments; Palmer, Peerage Law in England, on dignities descending under the terms of their creation. Together these authorities support the distinction between hereditary capacity and proof of the person presently entitled.
7 The Berkeley Peerage Case (1861) 8 HLC 21, illustrating the constitutional importance of the mode of creation and limitation of a dignity. The case concerned a much later and materially different title; it is relevant as authority for method, not as a direct precedent governing an alleged Williamian earldom.
8 Palmer, Peerage Law in England, on dignities descendible to heirs general and the consequences of co-heirship. The heirs-general construction remains conditional in Edgar's case because no express remainder survives.
9 Blackstone, Commentaries, Book II, chapter 3; Palmer, Peerage Law in England. A dignity is legally distinct from the estates, territorial revenues and public functions historically associated with it. Transfer or confiscation of land does not, without more, establish transfer or extinction of the personal dignity.
10 Palmer, Peerage Law in England, on the impartibility of dignities. An hereditary dignity is not divided into fractional ownership when descent reaches several equal co-heirs.
11 House of Lords, Committee for Privileges, peerage-claim practice concerning baronies descendible to heirs general and abeyance among co-heirs. The authorities distinguish competing representation of the whole dignity from division of the dignity itself.
12 The Barony of Grey de Ruthyn and later peerage proceedings concerning abeyant dignities, illustrating that equal co-heirs may represent competing rights while no single person exercises the title. The historical proceedings belong to later peerage law and are used to explain the concept rather than to prove that Edgar's probable dignity entered abeyance.
13 Palmer, Peerage Law in England, on natural termination of abeyance through the extinction of all but one co-heir line and on Crown action in relation to lawful co-heirs. Crown discretion does not convert the title into an honour freely divertible to an unrelated person.
14 Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985), for the surviving evidence concerning Edgar's life, movements and uncertain final years. Hooper identifies no securely established wife or legitimate issue.
15 William of Malmesbury, Gesta Regum Anglorum, ed. and trans. R. A. B. Mynors, R. M. Thomson and M. Winterbottom, 2 vols. (Oxford: Clarendon Press, 1998–1999), for Edgar's survival into old age and the contemporary description of his later life. William does not provide a securely established marriage or lawful child.
16 The absence of securely established issue must be distinguished from a categorical finding of childlessness. A later Huntingdon tradition has been cited for a possible daughter named Margaret, but its distance from Edgar's lifetime and unresolved evidential foundation prevent its adoption as established lawful issue.
17 Anne Williams, "The Speaking Cross, the Persecuted Princess, and the Murdered Earl: The Early History of Romsey Abbey" (2007), on Christina's position, landholding and probable residence within Edgar's household before entering religious life. Williams notes that there is no indication that Christina married.
18 Domesday Book, entries for Christina's holdings, including Broadwell in Oxfordshire and Ulverley in Warwickshire, confirming her independent appearance within the 1086 landed record. These entries establish rank and property; they do not establish marriage or issue.
19 Eadmer, Historia Novorum in Anglia, in the account of the ecclesiastical inquiry preceding the marriage of Henry I and Edith–Matilda, for the evidence that Christina imposed the veil upon her niece while the latter denied having made a religious profession. The episode confirms Christina's religious authority and association with Romsey.
20 The documentary record supports Christina's religious life and reveals no credible spouse or descendants. It does not permit an absolute biological declaration that no child could ever have existed.

21 Turgot, Life of St Margaret, Queen of Scotland, for Margaret's identity as Edgar's sister, her marriage to Malcolm III and the royal family formed through that union.
22 G. W. S. Barrow, The Kingdom of the Scots: Government, Church and Society from the Eleventh to the Fourteenth Century, 2nd ed. (Edinburgh: Edinburgh University Press, 2003), for Margaret's dynastic position and the continuation of her family through the Scottish royal house.
23 A. A. M. Duncan, The Kingship of the Scots, 842–1292: Succession and Independence (Edinburgh: Edinburgh University Press, 2002), for the descendants of Malcolm III and Margaret and the later Scottish succession.
24 Margaret predeceased Edgar. Her descendants could nevertheless represent her collateral line when succession opened, subject to the original limitation and the rules of representation applicable to the dignity.
25 Palmer, Peerage Law in England, and the later law concerning dignities descendible to heirs general, for the absence of a universal male-line rule. Female inheritance is excluded where the original limitation excludes it, not through a general Salic principle governing all English dignities.
26 The Crown of Scotland and an English peerage dignity must not be treated as though they followed an identical law of succession. The Scottish succession disputes provide genealogical evidence concerning Margaret's descendants, but not a conclusive legal rule for Edgar's alleged dignity.
27 J. H. Round, Peerage and Pedigree: Studies in Peerage Law and Family History, 2 vols. (London: James Nisbet, 1910), on the necessity of testing pedigrees against records and distinguishing demonstrable descent from legal entitlement to a dignity.
28 Round, Peerage and Pedigree, demonstrates the danger of pedigrees constructed by following one selected line while ignoring senior, collateral or co-heir branches.
29 A change of surname does not interrupt biological or lawful genealogical descent. It also does not establish that an impartible dignity followed the branch in which the descent is documented.
30 The original and Supplemental Petitions are the primary procedural sources for the ascending genealogical lines submitted by John Lindsay Robert Guest, Darren John Halifax and Dennis Keith Lillee. Those pedigrees establish the propositions expressly proved within the submitted lines; they do not constitute a final adjudication of the dignity's descent.
31 Darren John Halifax is identified as the most senior known direct descendant within the documented Hallifax stream. That finding does not establish that he is Edgar's universal heir general or the holder of a surviving dignity.
32 Palmer, Peerage Law in England, on the claimant's obligation to establish the creation, limitation and lawful descent of the dignity. Genealogical relationship to the medieval family does not shift the ultimate burden to the Crown or to competing descendants.
33 The sovereign direction is considered separately because Margaret's descendants later entered the English and Scottish royal successions. Royal descent does not establish automatically that every private hereditary dignity followed the Crown.
34 A dignity may reach the sovereign only through lawful descent under its own limitation. Parliamentary or constitutional alteration of succession to the Crown does not necessarily alter the descent of a separate private hereditament.
35 The conditional conclusion of Chapter 25 rests upon four propositions that remain separately examinable: original creation, hereditary character, survival and collateral direction. Establishing the Margaret line does not establish all four.
36 Chapters 19–24 examine fee-simple terminology, dignity as an incorporeal hereditament, Crown power, practical dispossession, possible forfeiture and possible restoration. Those conclusions retain the degrees of certainty already stated.
37 The Abstract and earlier chapters likewise distinguish the petitioners' established ascending genealogies from the unresolved legal descent or direction of the personal dignity.

This page is intentionally left blank.

CHAPTER 26
Margaret, David I and Royal Direction

The collateral direction identified in the preceding chapter leads from Edgar Ætheling through his sister Margaret, Queen of Scots. That direction is historically secure at its beginning. Margaret's identity, marriage and children are well documented, and her descendants became central to the development of both the Scottish and English monarchies. The difficulty lies not in showing that the royal line descended from Margaret, but in determining what that descent means for a possible hereditary dignity once the line passed through successive royal houses, female heirs, co-heirships and changes in constitutional status.[1]

A royal genealogy can create the appearance of simplicity. Margaret's descendants include kings and queens whose successions are extensively recorded. Yet the descent of a private dignity does not necessarily follow every later succession to the Crown. The dignity would pass according to its own limitation, while the Crown passed according to the constitutional rules applicable at each period. The two lines could coincide, separate and later reunite.

The purpose of this chapter is therefore not to declare that Edgar's probable dignity became vested automatically in every monarch descending from Margaret. It is to establish the leading royal direction, identify the importance of David I within that line, and explain why the modern sovereign may represent the principal constitutional destination only if the dignity survived and its hereditary rights ultimately consolidated there.

Margaret's marriage and dynastic position

Margaret's marriage to Malcolm III placed the surviving Wessex royal family within the Scottish monarchy. The union was politically important in its own time, but its later genealogical significance became still greater.[2,3,4]

Margaret was not a remote descendant of Edgar. She was his sister and a daughter of Edward the Exile. Her children therefore stood one generation below Edgar in the immediate royal family of Edmund Ironside's line.

If Edgar died without lawful issue and Christina left no descendants, Margaret's line supplied the surviving collateral family. Her death before Edgar did not destroy that direction. Her children represented her position and carried the family relationship forward.

Margaret and Malcolm had several children, including sons who became kings of Scots and a daughter, Edith, who became Queen of England under the name Matilda through her marriage to Henry I. Those children created more than one possible route by which a collateral right could move.

The existence of several children is legally significant. It prevents the title direction from being treated as a single straight line chosen only because it later leads to a prominent monarch. The relative rights of all relevant descendants must be tested according to birth, survival and the rules governing representation.

The line through David I becomes especially important, but it cannot be isolated from his siblings without first understanding the structure of Margaret's issue.

Margaret's children and the opening of several branches

Margaret's sons included Edward, Edmund, Ethelred, Edgar, Alexander and David. Her daughters included Edith, later Matilda, and Mary.[5]

Not every child founded a continuing line. Some died without issue or entered religious life. Others became kings or married into ruling houses.

The failure of some branches narrowed the field over time. The importance of David I arose not merely because he became king, but because his descendants formed a durable line through which Margaret's blood continued within the Scottish monarchy and later into the wider royal succession.

The line through Matilda and Henry I also carried Margaret's ancestry directly into the English royal house. Their daughter, the Empress Matilda, became the principal hereditary claimant after the death of Henry I's legitimate son. Through her marriage to Geoffrey of Anjou, she transmitted that royal descent to Henry II and the Plantagenet dynasty.[6,7,8]

These Scottish and English directions were not wholly separate. Royal marriages repeatedly connected the houses. Over time, lines descending from different children of Margaret could converge.[9]

Such convergence is highly relevant to an impartible dignity. Where rights had become distributed among co-heirs, later intermarriage or failure of competing branches could reunite them. A title direction that initially divided could eventually consolidate in one person.
The historical genealogy therefore requires more than identifying a prominent descendant. It requires tracing the points at which branches arose, failed or reunited.

Why David I matters

David I was one of Margaret's youngest sons and became king of Scots after the reigns of his brothers Edgar and Alexander I. His importance to the present inquiry rests upon three connected features.[10]

First, he was a direct son of Margaret and therefore a nephew of Edgar Ætheling.[11,12]
Second, he founded a continuing royal line. His son Henry, Earl of Huntingdon, predeceased him but left issue who carried the succession forward.

Third, David's descendants became central to the later Scottish succession and ultimately to the convergence of the Scottish and English royal houses.

David's relationship to Edgar was close enough that it should not be described merely as descent from an ancient ancestor. He belonged to the next generation of the same displaced royal family. His kingship represented the transformation of Wessex exile into established rule within Scotland.

The political relationship between Edgar and David also reinforces the family connection. Edgar played a substantial role in Scottish dynastic affairs and was closely associated with the restoration of David's brother Edgar in 1097. David grew within a family whose authority was materially assisted by Edgar's intervention.[13]

That historical relationship does not itself transfer a dignity. It does show that the movement from Edgar to Margaret's sons was not an artificial line constructed centuries later. It belonged to a functioning dynastic family whose members recognised and supported one another.

David's issue and the Scottish royal succession

David I's son Henry of Scotland, often known through his English honour as Earl of Huntingdon, became the principal dynastic bridge between David and later Scottish kings.[14,15] Henry died before David, so the Crown passed to Henry's son Malcolm IV and subsequently to Malcolm's brother William the Lion. The line continued through William's son Alexander II and grandson Alexander III.[16]

This sequence matters because it preserved David's descent in the male line for several generations. Yet the eventual failure of that direct male line reopened the succession through female descendants.

Alexander III's children predeceased him. His granddaughter Margaret, the Maid of Norway, became the recognised heir but died before reaching Scotland and before establishing an adult reign. Her death produced the Scottish succession crisis commonly associated with the competing claims of Balliol and Bruce.[17,18]

That crisis illustrates the practical consequences of hereditary descent through women. Multiple descendants of the royal house could present competing claims through female lines. Seniority depended upon proximity, representation and the applicable constitutional rules rather than upon surname or uninterrupted male descent alone.

The Crown of Scotland was not an ordinary peerage, and its succession cannot be treated as an exact precedent for a comital dignity. The genealogy nevertheless demonstrates that Margaret's line continued through female transmission and that rival branches arose from the same ancestral stock.

For a private dignity descending to heirs general, the same family structure would require careful examination. The title might follow one line while the Crown followed another, particularly if the constitutional principles governing royal succession differed from the hereditary incidents of the dignity.[19]

The English line through Matilda

Margaret's daughter Edith married Henry I and took the name Matilda. Their marriage carried the blood of Wessex into the Norman royal house.

The political significance of that union was widely understood. Henry I strengthened his legitimacy by marrying a woman descended from the pre-Conquest English kings. Their children united Norman conquest with Wessex ancestry.

The marriage did not restore Edgar's kingship, nor did it prove that any comital dignity had passed through Margaret. It did, however, ensure that the English monarchy itself became descended from the family whose rule had been displaced in 1066.

Their daughter, the Empress Matilda, transmitted that descent to Henry II. From Henry II, the line continued through the Plantagenet kings.[20]

If Edgar's dignity had entered Margaret's descendants and subsequently followed the branch represented by Matilda, it could have reached the English sovereign line at a comparatively early stage. Whether it did so depends upon the relative rights of Margaret's other descendants and any co-heirships arising among them.

The existence of the English royal line cannot simply be preferred because it leads directly to later kings. The Scottish branches through David and the continental branches through Margaret's other descendants must also be considered. A dignity descending to heirs general follows hereditary right, not political prominence.

The importance of Matilda's line lies in demonstrating one possible early route by which the dignity could have entered the English Crown or a person who later became sovereign.

Crown descent and dignity descent

The Crown and a peerage dignity are both hereditary institutions, but their succession is not governed by one universal rule.

The Crown is a constitutional office. Its descent has been shaped by political recognition, parliamentary settlement, religion, conquest, abdication, statutory alteration and constitutional convention.[21]

A dignity is held under the terms of its creation or the legal incidents attached to its original form. A dignity in fee simple would ordinarily descend to heirs general unless forfeited, surrendered, extinguished or altered.

A person could therefore succeed to the Crown without being the sole heir general to every private dignity held by an ancestor. Conversely, a person could inherit a dignity without possessing any claim to the Crown.

The two successions may coincide where the same individual happens to satisfy both. They may diverge where the Crown passes by special constitutional settlement while a dignity continues according to ordinary hereditary descent.

This distinction became increasingly important in later centuries, when parliamentary statutes altered the royal succession. A statutory settlement of the Crown could exclude persons who might otherwise remain heirs general under private law.[22]

Accordingly, the fact that the present sovereign descends from Margaret does not prove that a private dignity followed every constitutional settlement of the Crown.

The narrower question is whether the whole hereditary right to Edgar's probable dignity ultimately consolidated in the person who also became sovereign.

Merger and the position of a dignity in the sovereign

If a private dignity descends to a person who is already sovereign, or later becomes sovereign, its constitutional status may change.[23,24]

The Crown cannot ordinarily confer upon itself the social and political status that a peerage gives to a subject. A sovereign does not sit in the House of Lords as a peer under an inferior dignity. The honour may become merged in the Crown, absorbed, suspended or otherwise incapable of separate exercise while held by the monarch.

The terminology used for that result has varied, and the precise legal effect may depend upon the nature of the dignity. The essential principle is that the personal exercise of a peerage and the sovereign office cannot operate in the same way in one person.

Merger should not be asserted merely because a royal descendant appears in the pedigree. It first requires proof that the dignity actually reached that person.

If the dignity reached the Crown as the sole consolidated hereditary right, later sovereigns might represent its constitutional continuation even though the title was not separately used. If the right remained divided among co-heirs, the accession of one co-heir to the Crown would not necessarily unite the whole dignity.

The distinction between sole right and partial representation is therefore critical.

Convergence of royal lines

The history of the British monarchy contains repeated convergence among descendants of Margaret.

The Scottish royal line through David I and the English line through Matilda were connected by later marriages and successions. The eventual accession of James VI of Scotland to the English throne in 1603 united the Crowns in one person, although the kingdoms remained constitutionally distinct until the later union.[25]

James descended from both Scottish and English royal lines. His ancestry included Margaret's descendants through more than one branch.

Such convergence increases the possibility that hereditary rights once dispersed among different royal lines may have reunited. It does not prove that all rights did so.[26]

A complete title-direction analysis must map every relevant branch, identify the point at which each co-heirship arose and trace the representatives of those rights forward. Only then can it determine whether the accession of James VI and I, or a later marriage or succession, brought the whole right together.

Royal genealogy is unusually well documented, which makes this task possible in principle. Its complexity, however, should not be underestimated. The number of descendants grows rapidly, and the succession to one kingdom cannot be used as a shortcut for the inheritance of a separate dignity.

The leading constitutional destination may ultimately be the sovereign, but that conclusion must emerge from full consolidation rather than assumption.

The Bruce and Balliol branches

The Scottish succession dispute following the death of the Maid of Norway demonstrates the emergence of competing branches from David I's descendants.[27]

John Balliol and Robert Bruce advanced claims through female lines descending from David's family. The Great Cause was concerned with the Crown of Scotland, not Edgar's proposed earldom. Nevertheless, the genealogical relationships exposed during that dispute are relevant to the wider heirs-general structure.

The Balliol and Bruce claims represented different branches of descent from the same royal stock. Their arguments involved proximity of degree, primogeniture and representation.
For a dignity descending to heirs general, the appropriate rule would not necessarily replicate the decision applied to the Scottish Crown. Yet the existence of these competing lines means that no title reconstruction can move through David I without testing both.

The later success of the Bruce monarchy does not prove that the Bruce line possessed every private hereditary right connected with David's ancestry. Political victory and royal recognition affected the Crown in ways that would not automatically govern a separate dignity.[28]

Nor does the defeat or political displacement of Balliol eliminate the hereditary significance of his descendants. A private right could continue through a branch that lost a crown.
The title direction must therefore remain genealogically inclusive even where political history privileged one royal house.

Continental and collateral branches

Margaret's descendants also entered continental aristocratic and royal families through marriage.

This wider dispersal illustrates why the inquiry cannot be confined within the political borders of England and Scotland. Female descendants of royal families frequently married abroad, carrying hereditary rights into continental houses.[29]

A dignity associated with England could descend to a foreign subject or ruler unless a particular legal rule prevented it. Nationality, residence and political allegiance might affect recognition or enjoyment, but they did not necessarily erase genealogical right.[30]

The existence of continental branches increases the complexity of the descent. It also cautions against assuming that the dignity must always have remained within the British sovereign line. Every daughter and every branch capable of representation must be considered. A politically obscure or foreign line might retain a private hereditary right even where another branch possessed the Crown.

The return of Wessex blood to England

The marriage of Henry I and Matilda has often been described as a restoration of the old English royal blood within the Norman dynasty.
That description is genealogically sound but constitutionally limited.

Wessex ancestry returned to the ruling house. The kings descending from Henry II could claim both Norman and pre-Conquest English royal descent. This strengthened dynastic legitimacy and allowed later monarchy to be understood as a continuation rather than a permanent replacement of the older line.

Edgar himself did not regain the throne. His sister's descendants achieved the dynastic integration that he had been unable to secure politically.

If his probable dignity survived, this integration may have carried its hereditary direction into the ruling house. Blood continuity is not, however, equivalent to title continuity.
The return of Wessex blood was real. The return of a particular earldom remains conditional upon proof of descent.

David I as a bridge rather than an automatic holder

David I should not be described automatically as Earl of Oxford merely because he was Edgar's nephew and a leading descendant of Margaret.

No surviving record establishes that David used or was recognised by that title. The proposed dignity, if it descended through Margaret's family, might have reached another child or become divided among several branches before David's position was established.

David's importance lies in being a major dynastic bridge. His line remained politically powerful, well documented and central to later Scottish succession.

He therefore provides one of the principal channels through which any collateral right must be tested.

The distinction between genealogical bridge and title-holder protects the analysis from overstatement. It allows David's centrality to be recognised without manufacturing an unsupported succession list.

The same discipline applies to every later monarch. No sovereign should be inserted into a list of Earls of Oxford unless the legal descent to that person is demonstrated.

The Hallifax descent from David I

The royal descent from Margaret and David I did not remain confined to persons who inherited crowns, princely offices or prominent aristocratic identities. Through daughters, younger sons and collateral descendants, the same ancestry moved into noble, landed, professional, clerical and eventually ordinary community life.

The Hallifax stream provides a documented example of that process.

Its southern historical anchor is the Reverend Robert Hallifax (1586–1629). The pedigree identifies him as the son of Robert Waterhouse (1544–1598), Member of Parliament and a member of the Waterhouse family associated with Shibden Hall, and Jane Waterhouse, née Waterton, born about 1557 and living after 1607.

Robert was born into the Waterhouse family. The recorded surname developed through the form Waterhouse-Hallifax, after which Waterhouse was dropped and Hallifax retained. He appears as Robert Hallifax in the College of Arms pedigree MS 7D14/45, dated 16 December 1788. That pedigree was subjected to renewed examination and validation within the Heritage 1066 research corpus in 2024.[31]

Robert Hallifax's maternal line carries a direct descent from David I through David's son Prince Henry of Scotland and his grandson David of Scotland, Earl of Huntingdon. The descent then moves through Ada of Huntingdon into the Hastings family, through Elizabeth de Hastings and the Grey family, and from Mary de Grey into the de Burgh and Waterton families.

Katherine de Burgh's marriage to John Waterton carried the descent into the Waterton succession. It continued through Richard Waterton, Robert Waterton, John Waterton, Sir Robert Waterton and the two successive Sir Thomas Watertons before reaching Jane Waterton, wife of Robert Waterhouse and mother of Robert Hallifax.[32,33,34,35]

The line is represented as follows.

Generation	Descent
1	David I of Scotland (1080–1153)
2	Prince Henry of Scotland (1114–1152)
3	David of Scotland, Earl of Huntingdon (1152–1219)
4	Ada of Huntingdon (1198–1242)
5	Henry de Hastings (1225–1268)
6	John Hastings (1262–1313)
7	Elizabeth de Hastings (1296–1352), wife of Roger de Grey
8	Mary de Grey (1331–1361), first wife of Sir John de Burgh
9	Thomas de Burgh (c.1353–1411), husband of Alice de Burgh, née Fellbrigge
10	Katherine de Burgh (1380–1435), wife of John Waterton
11	Richard Waterton (1403–1455), husband of Constance Waterton, née Assenhull
12	Robert Waterton (1435–1495), husband of Elizabeth Waterton, née Savile
13	John Waterton (1455–1510), husband of Agnes Waterton, née Fairfax
14	Sir Robert Waterton (1476–1541), husband of Muriel Waterton, née Leeke
15	Sir Thomas Waterton I (1501–1558), husband of Jane or Joan Waterton, née Tempest
16	Sir Thomas Waterton (1526–1575), husband of Beatrice Waterton, née Restwold
17	Jane Waterhouse, née Waterton (c.1557–after 1607), wife of Robert Waterhouse
18	Reverend Robert Hallifax (1586–1629)

This line is significant because it proceeds through several women whose marriages transmitted the ancestry into new families. Ada of Huntingdon carried the descent into the Hastings family. Elizabeth de Hastings transmitted it to the Greys. Mary de Grey carried it into the de Burgh family. Katherine de Burgh carried it into the Watertons. Jane Waterton transmitted it into the Waterhouse and Hallifax line.[36,37,38,39]

The repeated change of surname does not interrupt the descent. It demonstrates the ordinary operation of hereditary transmission through daughters and collateral branches.[40]

The Edward I and Eleanor of Castile convergence

A second royal descent enters the same Hallifax ancestry through Muriel Waterton, née Leeke, wife of Sir Robert Waterton.

Muriel descended from Edward I and Eleanor of Castile through their daughter Elizabeth of Rhuddlan. The line continued through the Bohun, FitzAlan, Goushill, Stanley, Savage and Leeke families before entering the Waterton family through Muriel's marriage.[41,42,43,44,45,46,47,48]
That descent may be represented as follows:

Generation	Descent
1	Edward I of England (1239–1307) and Eleanor of Castile
2	Elizabeth of Rhuddlan, daughter of Edward I
3	William de Bohun, son of Elizabeth of Rhuddlan
4	Elizabeth de Bohun, daughter of William de Bohun
5	Elizabeth FitzAlan, daughter of Elizabeth de Bohun
6	Joan Goushill (1401–1466), daughter of Elizabeth FitzAlan
7	Katherine Stanley, daughter of Joan Goushill
8	Elizabeth Savage, daughter of Katherine Stanley
9	Muriel Leeke (1476–1529), daughter of Elizabeth Savage
10	Sir Thomas Waterton I (1501–1558), son of Muriel Leeke
11	Sir Thomas Waterton (1526–1575), son of Sir Thomas Waterton I
12	Jane Waterhouse, née Waterton (c.1557–after 1607)
13	Reverend Robert Hallifax (1586–1629)

Robert Hallifax therefore represents the convergence of two royal-descended lines within a family that no longer occupied a sovereign or princely position.

One line came from David I and the royal house of Scotland through Huntingdon, Hastings, Grey, de Burgh and Waterton ancestry. The second came from Edward I and Eleanor of Castile through their daughter Elizabeth of Rhuddlan and the Bohun, FitzAlan, Goushill, Stanley, Savage and Leeke families.

The convergence is genealogically important, but it does not make Robert Hallifax a prince or sovereign. It demonstrates how royal descent became absorbed into the ordinary hereditary structure of society.[49]

The normalisation of royal descent

The Hallifax example illustrates the normalisation of royal descent.[50,51]

A daughter of a sovereign could transmit ancestry into another royal house. A later daughter could carry it into an earldom, barony or knightly family. Further marriages could move the descent into the landed gentry, parliamentary families, clergy, professions, commerce and the wider community.

After several centuries, descendants might retain no title, office, estate or social identity associated with the sovereign from whom they descended. The ancestry nevertheless remained continuous.
This process was neither exceptional nor irregular. Medieval and early-modern dynasties produced numerous younger children and female descendants whose lines moved away from the throne. The multiplication of descendants over successive generations meant that royal ancestry became distributed far beyond the narrow line of reigning monarchs.

The sovereign line and the Hallifax line therefore represent two different historical outcomes of descent from royal ancestry.

The sovereign line preserved the Crown through a succession regulated by constitutional law, political settlement and statute. The Hallifax line passed through repeated female transmissions, collateral branches and surname changes into a clerical and non-sovereign family.

The contrast may be expressed as follows:

Feature	Sovereign direction	Hallifax direction
Medieval source	Margaret, Queen of Scots, and David I	Margaret, Queen of Scots, and David I
Later course	Scottish and English royal houses	Huntingdon, Hastings, Grey, de Burgh, Waterton, Waterhouse and Hallifax families
Female transmission	Repeatedly present	Repeatedly present and essential
Continuing possession of the Crown	Yes	No
Social outcome	Reigning and dynastic succession	Noble, landed, parliamentary, clerical and general-community succession
Modern significance	Possible constitutional destination of a surviving dignity	Documented collateral royal descent
Effect upon title ownership	Potentially decisive only if the whole hereditary right consolidated in the sovereign line	Demonstrates ancestry but not sole entitlement
Evidential value	Tests merger or consolidation in the Crown	Demonstrates the dispersal and normalisation of royal descent

The Hallifax line is not a rival monarchy and does not compete with the sovereign line for royal office. It is a non-sovereign continuation of the same wider dynastic inheritance.
Its importance lies in showing that descent from Margaret and David I did not move through one exclusive royal corridor. It spread through many families and social environments.

Ancestry and entitlement

The existence of a direct descent from David I does not establish succession to every dignity associated with David's family or ancestors.

Robert Hallifax could be a direct descendant of David I without becoming the lawful holder of Edgar's probable earldom. The same is true of every later Hallifax descendant.

Genealogical descent establishes relationship. Succession to an impartible dignity requires proof that the particular hereditary right passed through each generation and was not displaced by a senior branch, divided among co-heirs, extinguished or consolidated elsewhere.[52]
The Hallifax pedigree therefore has two distinct uses.[53]

First, it supports the reconstruction of a documented collateral descent from David I into a later English family.
Second, it demonstrates why the large number and social diversity of modern royal descendants cannot determine ownership of a medieval dignity.

Many persons may descend from the same sovereign. Only one person, or one legally defined body of co-heirs, can represent the direction of an impartible title.

The distinction is especially important where the descent has passed repeatedly through daughters. Female transmission proves the continuation of ancestry. It does not by itself prove that every private hereditary right followed the same branch.

The seniority problem

Royal pedigrees contain many forms of seniority.

A monarch may be senior by constitutional settlement, male-preference primogeniture, proximity of blood, parliamentary designation or political recognition. None of those categories necessarily establishes seniority as heir general to a private dignity.

An heirs-general inquiry ordinarily gives effect to representation through the senior line, but co-heirship can arise where daughters stand equally. Later constitutional exclusions may alter the Crown while leaving private hereditary rights elsewhere.

The senior royal line must therefore be identified independently of regnal succession.
This creates a possible divergence between the person who was sovereign and the person who held the better private hereditary right. In some periods the two may coincide. In others they may not.

The eventual question is not merely whether the current sovereign descends from Margaret. That is certain. It is whether the current sovereign represents the senior and fully consolidated line of the dignity.

Without proof of consolidation, the sovereign may be one representative among several.

The modern sovereign as leading constitutional destination

The modern sovereign occupies a unique position in the title-direction analysis.
The royal line descends from Margaret through multiple routes, and later dynastic convergence may have reunited rights that had previously separated. The Crown also represents the institutional continuity of English sovereignty within which Edgar's probable dignity would originally have existed.

These factors make the sovereign a leading constitutional destination.

That description does not declare present title ownership.

The modern sovereign could represent the ultimate holder only if the dignity was created or confirmed, was hereditary and descendible to heirs general, survived or was restored after Edgar's political conflicts, passed through Margaret's descendants, and ultimately consolidated in the sovereign line without later extinction or lawful diversion.

Each condition remains substantial.

The strength of the sovereign direction lies in the depth and convergence of the royal genealogy, not in an assumption that every forgotten dignity belongs automatically to the Crown.

Charles III and the present direction

At the present constitutional stage, Charles III is the sovereign through whom the principal royal descent must be examined.

His position is relevant because he represents the contemporary continuation of the British Crown and descends from Margaret through the later royal houses.

It would be premature to describe him as Earl of Oxford on the basis of Edgar's proposed dignity. No adjudication has established that result, and the title is not presently recognised in that form.

The narrower proposition is, if Edgar's probable dignity survived, descended to heirs general and ultimately consolidated in the sovereign line, Charles III would represent the present constitutional destination of that line.[54]

This formulation distinguishes a genealogical and constitutional possibility from a recognised title.

It also leaves open the possibility that the whole right did not consolidate in the Crown. A competing co-heir line may remain. The right may have become extinct or legally lost. The dignity may never have existed in the proposed form.

The sovereign direction is leading, not conclusive.

The Hallifax stream and the royal direction

The documented Hallifax line represents a non-sovereign descent from David I within the broader family research.[55]

Its significance is not that it displaces or outranks the sovereign line. It shows that the ancestry of Margaret and David I continued beyond royal office and became embedded within the general community.

Darren John Halifax may represent the most senior known direct descendant within the documented Hallifax stream. That description is confined to the researched stream and does not establish that he is Edgar's senior heir general or the holder of a surviving earldom.[56]

A private descendant may possess a relevant line of ancestry while the senior title direction lies elsewhere. The existence of a possible sovereign destination does not invalidate the historical interest or procedural standing of collateral descendants.

The petitioners' role has been to bring forward historical and genealogical evidence and request investigation. They need not prove that the dignity belongs privately to one of them before the existence and original character of the dignity can be considered.

This separation supports the procedural approach of determining historical creation before attempting final title direction.

The constitutional effect of an unresolved royal destination

If the evidence ultimately established that the dignity reached the sovereign but did not establish the precise historical point of merger, the legal consequence would still require careful treatment.

Recognition of an antecedent dignity in the Crown would not necessarily produce a separately exercisable modern peerage. The dignity may be constitutionally absorbed or incapable of use while vested in the sovereign.

The historical finding could nevertheless be significant. It could establish that Edgar's comital dignity existed, descended and ultimately entered the royal line.

Such a finding would vindicate the historical proposition without creating a private award. It would also distinguish the case from one in which the dignity remained among unresolved co-heirs. In the latter situation, recognition might preserve an abeyant right rather than identify a sovereign destination.[57,58]

Both outcomes remain possible.

The need for a full comparative descent table

A final determination cannot rest upon narrative genealogy alone. The royal and Hallifax directions require structured descent tables recording births, deaths, lawful issue, failures of lines, co-heirships, marriages reuniting branches and constitutional exclusions affecting only the Crown. The sovereign table must distinguish succession to the Crown from succession to a private dignity.[59,60,61]

The Hallifax table must preserve the College of Arms pedigree and the validated family sequence without silently replacing its names, dates or relationships with assumptions drawn from unrelated genealogies.

A comparison of the line from David I to Charles III with the line from David I to Robert Hallifax would provide a particularly clear demonstration of dynastic dispersal.[62,63]
One route remained within monarchy and constitutional succession. The other passed through daughters, collateral families and social change into the wider community.

The common ancestry is historically meaningful. The different legal outcomes remain equally important.

The direction through David I

The evidence supports treating David I's descendants as one of the principal fields through which the dignity may have passed. David was a son of Margaret, nephew of Edgar and ancestor of the later Scottish royal house. His descendants generated major competing branches in medieval Scotland and later contributed to the line that united the English and Scottish Crowns.

The petitioners Hallifax pedigree articulating through MS 7D14/45 demonstrates that David's descendants also moved beyond royal succession. The line through Ada of Huntingdon, the Hastings, Grey, de Burgh and Waterton families carried that ancestry into the Waterhouse and Hallifax family.
David therefore stands at the centre of the inquiry not as a proven holder of Edgar's dignity but as a dynastic junction.

His descendants include both sovereigns and non-sovereign citizens. That dual outcome illustrates the central problem of title direction: shared ancestry does not create shared ownership of an impartible dignity.

The complete line must still identify where the hereditary right passed, divided, failed or consolidated.

Chapter conclusion

Margaret's descendants provide the principal recoverable collateral direction from Edgar Ætheling. That conclusion follows from Edgar's lack of securely established lawful issue and the strong evidence that Christina left no descendants.[64]

Within Margaret's family, David I occupies a central position. He was Edgar's nephew, a king of Scots and the source of continuing lines that moved through both royal and non-sovereign descendants.

The sovereign line and the Hallifax line illustrate the different courses that medieval royal ancestry could take.

One remained within monarchy, passing through successive Scottish and English royal houses before reaching the modern Crown. The other moved through Ada of Huntingdon, the Hastings, Grey, de Burgh and Waterton families into Jane Waterton and her son, the Reverend Robert Hallifax.

A second royal descent from Edward I and Eleanor of Castile converged in the same Hallifax ancestry through Muriel Leeke and the Waterton family.

This convergence demonstrates the normalisation of royal descent. The sons and daughters of sovereigns produced descendants whose later families entered the nobility, landed gentry, Parliament, clergy and ordinary community life. Their royal ancestry remained genealogically continuous even when royal office, title and social identity had long disappeared.

The existence of such descent does not establish ownership of Edgar's probable dignity. Many persons may descend from Margaret, David I or Edward I. The dignity, if it survived, remained one impartible hereditament capable of vesting in one lawful holder or entering abeyance among co-heirs.

The modern sovereign remains the leading constitutional destination because the royal lines repeatedly converged within the Crown. The Hallifax line provides a documented collateral case study demonstrating that royal ancestry also survived outside the sovereign succession.

The chapter's conclusion is therefore carefully qualified. If Edgar's probable dignity survived and descended to heirs general through Margaret, David I and the wider royal family form the principal dynastic field within which its later direction must be traced. The sovereign line may represent its ultimate constitutional destination, while the Hallifax descent demonstrates the parallel dispersal of the same royal ancestry into the general community. Neither route alone establishes present ownership. The legal direction depends upon proof of seniority, consolidation and survival.[65]
The royal line preserves the possibility of constitutional continuity. The Hallifax line demonstrates the wider human continuity of the dynasty.

Chapter 26 endnotes

1 Turgot, Life of St Margaret, Queen of Scotland, in William Forbes-Leith, ed. and trans., The Life of St Margaret, Queen of Scotland (Edinburgh: William Paterson, 1884), for Margaret's identity, marriage to Malcolm III and immediate family. The work is hagiographical but remains an important near-contemporary source for Margaret's life and dynastic position.
2 A. A. M. Duncan, The Kingship of the Scots, 842–1292: Succession and Independence (Edinburgh: Edinburgh University Press, 2002), on Malcolm III, Margaret and the succession of their sons.
3 G. W. S. Barrow, Kingship and Unity: Scotland 1000–1306, 2nd ed. (Edinburgh: Edinburgh University Press, 2003), on Margaret's marriage, the transformation of the Scottish royal house and the later succession through her children.
4 G. W. S. Barrow, The Kingdom of the Scots: Government, Church and Society from the Eleventh to the Fourteenth Century, 2nd ed. (Edinburgh: Edinburgh University Press, 2003), for the political and ecclesiastical significance of Margaret's family within the Scottish monarchy.
5 Margaret's children by Malcolm III included Edward, Edmund, Ethelred, Edgar, Alexander, David, Edith–Matilda and Mary. The exact order assigned in modern genealogies should be read alongside uncertainty in the birth chronology of several children: Duncan, Kingship of the Scots; Barrow, Kingship and Unity.
6 Edith adopted the name Matilda in connection with her marriage to Henry I. Eadmer, Historia Novorum in Anglia, ed. Martin Rule, Rolls Series 81 (London, 1884), records the controversy concerning her earlier residence at Romsey and the inquiry into whether she had made a binding religious profession.
7 C. Warren Hollister, Henry I (New Haven and London: Yale University Press, 2001), on Henry I's marriage to Matilda of Scotland and the dynastic and legitimising significance of uniting the Norman royal house with the descendants of the pre-Conquest kings.
8 Marjorie Chibnall, The Empress Matilda: Queen Consort, Queen Mother and Lady of the English (Oxford: Blackwell, 1991), for Matilda of Scotland's daughter, the Empress Matilda, and the descent through Geoffrey of Anjou to Henry II.
9 The lines descending from Margaret's several children must not be treated as though the later political importance of one child proves that all private hereditary rights followed that branch. Francis Beaufort Palmer, Peerage Law in England (London: Stevens and Sons, 1907), on dignities descending according to their own limitations.
10 Richard Oram, David I: The King Who Made Scotland (Stroud: Tempus, 2004), on David's upbringing, accession, kingship and position within the family of Malcolm III and Margaret.
11 David I was Margaret's youngest son and Edgar Ætheling's nephew. The official history of the monarchy likewise identifies David as the youngest son of Malcolm III and St Margaret.
12 The Anglo-Saxon Chronicle, versions D and E, under 1097, records Edgar Ætheling's military intervention in Scotland and the installation of his nephew Edgar, son of Malcolm III, as king.
13 Orderic Vitalis, The Ecclesiastical History, ed. and trans. Marjorie Chibnall, 6 vols. (Oxford: Clarendon Press, 1969–1980), for Edgar's continuing involvement in Anglo-Norman and Scottish dynastic affairs.
14 David's son Henry of Scotland, Earl of Huntingdon and Northumberland, predeceased him. G. W. S. Barrow, The Anglo-Norman Era in Scottish History (Oxford: Clarendon Press, 1980), on Prince Henry's position and descendants.
15 The Complete Peerage, ed. G. E. Cokayne and others, vol. VI (London: St Catherine Press, 1926), under "Huntingdon," for Henry of Scotland, his marriage to Ada de Warenne and the issue through whom the Scottish royal and Huntingdon lines continued.
16 Malcolm IV succeeded David I in 1153 and was followed by his brother William the Lion in 1165: Duncan, Kingship of the Scots; Barrow, Kingship and Unity.
17 Alan Young, Robert the Bruce's Rivals: The Comyns, 1212–1314 (East Linton: Tuckwell Press, 1997), and Duncan, Kingship of the Scots, for the dynastic field created by the failure of the direct line after Alexander III and the Maid of Norway.
18 The Great Cause produced competing claims by descendants of David of Scotland, Earl of Huntingdon. The principal Balliol and Bruce claims proceeded through female lines but advanced different doctrines of representation and proximity: Edward J. Cowan, The Great Cause: The Scottish Succession Crisis, 1290–1292 (East Linton: Tuckwell Press, 2003).
19 The rules employed in determining succession to the Scottish Crown cannot be transferred automatically to an English dignity. The Crown was a constitutional office subject to distinct political and legal considerations; Palmer, Peerage Law in England, supplies the contrasting framework for private hereditary dignities.
20 Matilda of Scotland and Henry I were the parents of the Empress Matilda. Through the Empress and Geoffrey of Anjou, Margaret's Wessex ancestry entered the Plantagenet line: Chibnall, The Empress Matilda; Hollister, Henry I.
21 The Crown and a private dignity may follow different lines because the Crown has been altered by conquest, recognition, parliamentary settlement and statute, while a private dignity follows the limitation of its creation unless lawfully affected by forfeiture, surrender, merger or extinction.
22 The parliamentary settlement of royal succession is illustrated by the Bill of Rights 1689, the Act of Settlement 1701 and the Succession to the Crown Act 2013. These measures concern the Crown and do not by themselves redirect the descent of every private hereditary dignity held by a royal ancestor.

23 William Blackstone, Commentaries on the Laws of England, Book I, chapter 3, on the sovereign's constitutional position, and Book II, chapter 3, on dignities as incorporeal hereditaments. The distinction explains why succession to kingship and succession to a peerage cannot be treated as one process.
24 A peerage reaching a person who becomes sovereign cannot ordinarily be exercised by that person as an inferior parliamentary dignity. The precise concepts of merger, absorption and suspension vary with the dignity and historical circumstances; the chapter therefore avoids asserting merger before lawful consolidation in the sovereign has been proved.
25 James VI of Scotland succeeded Elizabeth I as James I of England in 1603, uniting the Crowns in one person but not yet uniting the two kingdoms into a single state. The official royal history records his accession to the English throne on 24 March 1603.
26 The Acts of Union 1707 created the Kingdom of Great Britain. Their constitutional effect should not be confused with the genealogical reunion of particular hereditary rights, which must be proved separately.
27 The official royal history traces the succession from Malcolm III's descendants through David I and the later Scottish monarchy, while also noting the dynastic crisis following Alexander III.
28 The Balliol and Bruce dispute is relevant as genealogical evidence of divergent lines from David I's family. Political victory by the Bruce line did not establish that every private hereditament connected with David's ancestry followed the Scottish Crown.
29 Margaret's daughter Mary married Eustace III, Count of Boulogne. Their daughter Matilda married Stephen of Blois, later King Stephen of England: Edmund King, King Stephen (New Haven and London: Yale University Press, 2010). This branch illustrates the extension of Margaret's descent into continental and Anglo-Norman houses.
30 The possibility that an English dignity could pass into a foreign family depends upon the original limitation and any applicable legal disability. Foreign residence or marriage alone does not prove extinction or exclusion.
31 The Reverend Robert Hallifax line stated in Chapter 26 rests upon the Hallifax family pedigree preserved as College of Arms MS 7D14/45, dated 16 December 1788, read with the Heritage 1066 pedigree and evidence schedules through which the Waterhouse–Hallifax and Waterton connection was re-examined in 2024.
32 The chapter's identification of Jane Waterhouse, née Waterton, as the Waterton–Waterhouse–Hallifax bridge follows the Heritage 1066 matriarchal source record, which identifies Jane as daughter of Thomas Waterton and Beatrice Restwold, wife of Robert Waterhouse and mother of the Waterhouse descendant associated with adoption of the Hallifax name.
33 The same source corpus treats Jane Waterton as the decisive surname and descent bridge connecting the Waterton, Waterhouse and Hallifax lines, and records the College of Arms pedigree tradition attached to the surname transition.
34 The sequence printed in Chapter 26 from David I to Reverend Robert Hallifax is the documented line used in this account:
35 David I of Scotland; Prince Henry of Scotland; David of Scotland, Earl of Huntingdon; Ada of Huntingdon; Henry de Hastings; John Hastings; Elizabeth de Hastings; Mary de Grey; Thomas de Burgh; Katherine de Burgh; Richard Waterton; Robert Waterton; John Waterton; Sir Robert Waterton; Sir Thomas Waterton I; Sir Thomas Waterton; Jane Waterhouse, née Waterton; and Reverend Robert Hallifax.
36 The first stages of that descent are supported by The Complete Peerage, vol. VI, under "Huntingdon" and "Hastings," together with Douglas Richardson, Magna Carta Ancestry: A Study in Colonial and Medieval Families, 2nd ed., ed. Kimball G. Everingham, 4 vols. (Salt Lake City, 2011), for the descent from David of Huntingdon through Ada and the Hastings family.
37 Ada of Huntingdon in the documented Hallifax line is distinct from other women of the same or similar name in medieval pedigrees. The relevant Ada is the daughter of David of Scotland, Earl of Huntingdon, and wife of Henry de Hastings.
38 The Complete Peerage, vol. VI, under "Hastings" and "Grey of Ruthin," and Richardson, Magna Carta Ancestry, support the transition from the Huntingdon–Hastings line into the Grey family. The later descent follows the vetted pedigree schedule rather than surname similarity.
39 The de Burgh–Waterton stages are supported by the College of Arms Hallifax pedigree and the associated Heritage 1066 source schedules. Unsourced online family trees do not displace that documented record.
40 The surname history stated in the chapter—Waterhouse, Waterhouse-Hallifax and later Hallifax—is drawn from the College of Arms pedigree tradition and the accompanying Heritage 1066 surname-transition analysis. The documentary claim concerns the recorded family form and does not imply that every contemporary record used each form uniformly.
41 The second descent printed in Chapter 26 begins with Edward I and Eleanor of Castile and proceeds through their daughter Elizabeth of Rhuddlan, William de Bohun, Elizabeth de Bohun, Elizabeth FitzAlan, Joan Goushill, Katherine Stanley, Elizabeth Savage and Muriel Leeke before rejoining the Waterton line.
42 Michael Prestwich, Edward I (New Haven and London: Yale University Press, 1997), for Edward I, Eleanor of Castile and their royal family.
43 John Carmi Parsons, Eleanor of Castile: Queen and Society in Thirteenth-Century England (New York: St Martin's Press, 1995), for Eleanor's marriage, children and dynastic position.
44 Elizabeth of Rhuddlan, daughter of Edward I and Eleanor of Castile, married Humphrey de Bohun, Earl of Hereford and Essex. Their son William de Bohun became Earl of Northampton: The Complete Peerage, vol. VI, under "Hereford," and vol. IX, under "Northampton."

45 Elizabeth de Bohun, daughter of William de Bohun, married Richard FitzAlan, Earl of Arundel. Their daughter Elizabeth FitzAlan married Sir Robert Goushill: The Complete Peerage, vol. I, under "Arundel"; Richardson, Magna Carta Ancestry.
46 Joan Goushill, daughter and co-heiress of Sir Robert Goushill and Elizabeth FitzAlan, married Sir Thomas Stanley. Their descendants carried the line into the Savage family: Richardson, Magna Carta Ancestry; George Ormerod, The History of the County Palatine and City of Chester, rev. Thomas Helsby, 3 vols. (London, 1882).
47 The continuation from Katherine Stanley through Elizabeth Savage to Muriel Leeke is governed by the vetted Waterton–Leeke pedigree incorporated into the Heritage 1066 source schedule. The descent does not imply that every intermediate date is independently established by a single authority.
48 The Heritage 1066 Waterton material identifies Muriel Leeke as the matrilineal gateway through which the Edward I and Eleanor of Castile descent entered the Waterton family and later converged with the Waterhouse–Hallifax line.
49 The convergence of more than one royal descent in a later gentry or clerical family is genealogically unsurprising. Over many generations, repeated marriage among descendants of medieval royal and aristocratic houses produced multiple lines from the same or different sovereigns.
50 Ian J. Fagelson, The Royal Family Tree (London: Pitkin, later eds.), and Hugh Montgomery-Massingberd, ed., Burke's Royal Families of the World, vol. I: Europe and Latin America (London: Burke's Peerage, 1977), illustrate the wide dispersal and later convergence of European royal descent. These broad compilations do not replace the documented Hallifax pedigree.
51 The phrase "normalisation of royal descent" is used in this study to describe the ordinary genealogical process by which descendants of sovereigns passed through younger children, daughters and collateral branches into noble, gentry, clerical, professional and general-community families. It does not imply degradation of ancestry or survival of royal status.
52 The comparative table in Chapter 26 distinguishes common ancestry from legal entitlement. Royal descent may be possessed by numerous people, whereas an impartible dignity can be vested in only one lawful holder or remain unresolved among co-heirs.
53 J. H. Round, Peerage and Pedigree: Studies in Peerage Law and Family History, 2 vols. (London: James Nisbet, 1910), on the need to distinguish a proved line of ancestry from legal succession to a dignity and to examine senior and collateral branches rather than one selected pedigree.
54 Francis Beaufort Palmer, Peerage Law in England, on the impartibility of dignities and the legal significance of heirs general, co-heirs and abeyance.
55 The Hallifax descent is therefore relevant as a documented non-sovereign line from David I. It is not advanced as proof that Edgar's probable dignity passed into that branch.
56 The designation of Darren John Halifax as the most senior known direct descendant within the documented Hallifax stream remains confined to that researched line. It does not constitute a universal heir-general finding.
57 The present sovereign is King Charles III, who acceded on 8 September 2022 and was formally proclaimed following the Accession Council.
58 The reference to Charles III as the leading modern constitutional destination is conditional. It depends upon proof that Edgar's probable dignity survived, descended through Margaret, escaped extinction or unresolved co-heirship and ultimately consolidated in the sovereign line.
59 The official royal histories confirm the continuing monarchical line through David I's descendants and the later union of the Scottish and English Crowns, but they do not purport to determine the descent of Edgar's alleged private dignity.
60 The current sovereign's descent from Margaret and David I is genealogically relevant, but succession to the Crown cannot be substituted for a complete heirs-general title audit. Parliamentary settlements and constitutional exclusions may cause the royal and private hereditary lines to diverge.
61 The statement that the sovereign line is "leading" rather than conclusive reflects the evidential hierarchy: royal convergence makes consolidation plausible, but every competing branch must still be traced.
62 The complete comparative descent from David I to Charles III belongs in the genealogical appendix, where each generation can be supported individually and compared with the David I–Hallifax line without overcrowding the chapter narrative.
63 The David I–Hallifax table is a documented case study of genealogical dispersal. It does not replace the full evidential pedigree, the College of Arms manuscript or the separate source schedule upon which title-direction analysis depends.
64 The Abstract establishes the same distinction between the principal recoverable collateral direction through Margaret and the affirmative ascending genealogies of the petitioners.
65 Chapter 26's final conclusion is therefore conditional in three respects: David I is a dynastic junction rather than a proved holder; the Hallifax stream demonstrates descent rather than title ownership; and the sovereign is a possible constitutional destination rather than an adjudicated holder.

This page is intentionally left blank.

CHAPTER 27
Forgetting, Non-use and Historical Survival

The survival of a hereditary dignity cannot be determined solely by asking whether later generations continued to use its name. Titles may disappear from ordinary memory for reasons that do not amount to legal extinction. Records may be lost, families may cease to assert inherited rights, supporting estates may pass elsewhere, co-heirship may obscure the lawful direction, political circumstances may discourage revival, and later historians may repeat an incomplete account until omission itself begins to look like proof.

Edgar Ætheling's probable dignity presents each of these difficulties. His rank was embedded in the unstable settlement that followed the Conquest, his lands and political position were repeatedly disrupted, and the evidence for the territorial designation survives principally through later historical and heraldic traditions rather than through a known original instrument. The Oxford appellation then receded from general historical writing as the better-known de Vere earldom came to dominate the title's later memory.[1,2,3,4]

This disappearance from common use is significant. It is not conclusive.

A distinction must be maintained among forgetting, non-use, non-recognition and extinction. They can reinforce one another as evidence, but they do not describe the same legal or historical event. A dignity may be forgotten without being formally extinguished. It may cease to be used because it lies in abeyance. It may be omitted from official lists because no claimant has established it. It may also have been lawfully forfeited or surrendered, in which case the later silence reflects a true termination.

The task is not to presume survival merely because extinction cannot be proved. It is to determine what historical weight should be given to centuries of silence when the surviving evidence of creation, confiscation, reconciliation and descent remains incomplete.

The difference between extinction and disappearance

Extinction is a legal conclusion. Disappearance is an historical observation.[5,6]

A dignity becomes extinct where the law recognises that no further right survives. That may occur because the limitation has failed, because the last lawful holder died without an heir capable of inheriting, because the dignity was validly surrendered, because it was permanently forfeited, or because some other legally effective act brought it to an end.[7] Disappearance requires no such event. It describes what later observers can see.

The title may vanish from chronicles, pedigrees, legal proceedings and ordinary social usage. Descendants may cease to know that it was ever claimed. Genealogical rights may fragment among co-heirs. A family may lose the records needed to assert the dignity. A later creation bearing the same territorial name may displace memory of the earlier honour. A modern researcher encountering that silence must resist two opposite errors.

The first is to treat disappearance as automatic extinction. This assumes that because no later holder is visible, no legal right could have survived. The second is to treat the absence of an extinction record as proof that the dignity remains extant. This assumes that every historical right survives indefinitely unless a formal document terminating it is produced. Neither approach is satisfactory.

The evidence must be weighed cumulatively. Silence matters, but its meaning depends upon the circumstances that produced it.

The vulnerability of early dignities

The earliest post-Conquest dignities were not created and recorded through the standardised documentary procedures familiar from later peerage law.[8]

The political settlement of William I depended upon personal submission, land grants, military obligations, territorial command, public recognition and the adaptation of English institutions to Norman rule. Rank could be created or confirmed through royal action without a surviving letters patent.

That flexibility made early dignities possible. It also made their later history difficult to reconstruct.

Where the original instrument is missing, the dignity's creation must be inferred from narrative sources, official acts, territorial associations, later heraldic traditions and consistent historical usage. Where the dignity was subsequently confiscated or displaced, the documentary trail may weaken further.

The absence of a patent for Edgar is therefore not surprising in itself. The same historical environment that permits a probable Williamian creation also explains why its original terms may no longer be available.[9,10]

The evidential problem becomes more serious when the alleged dignity passes through rebellion, exile and reconciliation. A title that remained stable within one family and one territory would leave a clearer institutional memory. Edgar's position did not.[11,12,13,14,15,16,17]

His probable earldom existed, within a life marked by repeated political rupture.

Political dispossession and the loss of memory

Edgar's practical dispossession could have severed the ordinary supports through which a dignity remained visible.

An earldom was not identical to its lands or office, but those material elements helped sustain public recognition. Estates funded the household. Local authority made the earl visible. Castles, revenues, witnesses, charters and military service created a record of continued status.[18] When those supports disappeared, the personal dignity could become harder to observe even if it had not been lawfully extinguished.[19]

Edgar's rebellions and reconciliations created several points at which his status may have altered. He may have lost lands without losing rank. He may have forfeited both and later received restoration. He may have been accommodated through a new settlement that preserved honour without restoring territorial power. He may also have suffered permanent extinction. The surviving record does not resolve these alternatives conclusively.

What it does show is that Edgar repeatedly moved in and out of Williamian and later Norman political favour. Such instability would naturally weaken the continuity of title usage.

A dignity without territory, office, established household or publicly recognised successor could quickly pass from active political reality into antiquarian memory.

The death of Edgar and the absence of an obvious successor

The obscurity of Edgar's final years magnified the problem. No secure wife or lawful issue has been established. His place and date of death are not known with precision, and no surviving succession proceeding identifies the person who inherited a comital dignity from him.[20,21]

If the title passed collaterally, the transition may have occurred through relatives whose principal identities lay elsewhere. Margaret's descendants became kings, queens, princes and major nobles. They had no obvious political incentive to revive a disputed or forgotten English earldom attached to Edgar.

Christina's religious life offered no visible continuing household through which the title could be maintained. If she died without issue, the descent moved into Margaret's already complex royal posterity.[22]

The absence of a named successor is therefore important but not decisive. It is consistent with extinction. It is also consistent with collateral transmission into a family whose greater royal dignities overshadowed the earldom.[23]

A title passing into the sovereign or into a foreign royal house could cease to be used without producing the same public pattern expected from descent to an English subject.
The identity of the next lawful heir remains one of the central unresolved points.

Abeyance as a cause of historical silence

A dignity descending to heirs general may enter abeyance when equal co-heirs arise.[24,25] Abeyance provides one of the clearest explanations for prolonged non-use without extinction. The dignity remains legally unresolved because no single person represents the whole hereditary right.

No co-heir is entitled to exercise a fractional title. The honour remains one impartible dignity. Where the right is distributed among several equal lines, public usage may cease entirely. Over generations, the number of representatives can increase. Families may become unaware of their connection. The documentary burden required to reconstruct each share becomes formidable.

An abeyant dignity may therefore appear extinct to ordinary historical observation even though the legal right remains capable of consolidation or lawful determination.

This does not establish that Edgar's probable dignity entered abeyance. The necessary descent has not yet been traced. It does show why non-use cannot be treated automatically as proof of extinction where heirs-general descent is plausible.

The Hallifax stream discussed in the preceding chapter illustrates the wider genealogical dispersal that can occur. A line of royal descent may continue through repeated female transmission and surname changes into families far removed from the original political setting. Other branches may do the same.[26,27]

A dignity moving through such a field could become invisible long before the underlying ancestry disappeared.

The dominance of the de Vere earldom

The later Earldom of Oxford associated with the de Vere family became one of the most prominent and enduring titles in English history.[28,29]
Its visibility creates a substantial difficulty for the Edgar tradition.

Once the de Vere earldom was established and transmitted through a powerful comital house, the name Earl of Oxford acquired a dominant historical meaning. Later writers, genealogists and officials encountering the territorial designation would naturally associate it with the de Veres.

An earlier dignity attached to Edgar could therefore be overlooked, displaced or treated as an antiquarian anomaly.

The later creation does not by itself disprove an earlier one. Medieval and later titles could be recreated after extinction, forfeiture or merger. The same territorial designation might appear in more than one creation across time.[30]

Yet the emergence of a later earldom is relevant negative evidence. If Edgar's dignity had remained visibly active, a new creation bearing the same territorial name would raise an obvious constitutional conflict.

The force of that evidence depends upon the status of the earlier dignity at the time of the de Vere creation.[31]

If it had become extinct, the new creation presents no difficulty.

If it had merged in the Crown, the sovereign may have been free to create a new dignity for a subject.

If it remained in abeyance or was otherwise legally unresolved, the later creation would require closer examination.

The de Vere title therefore cannot be used as a shortcut. It must be placed within the wider question of extinction, merger or dormancy.

Omission from later peerage lists

Official and semi-official peerage lists became more systematic long after Edgar's lifetime. The absence of his alleged dignity from such lists is important, but it must be interpreted according to the purpose and date of each compilation.

A list may record only currently recognised dignities. It may omit extinct, dormant, abeyant or disputed honours. It may begin from a later institutional starting point. It may rely upon surviving patents and enrolments that do not exist for early creations.[32]

Absence from the Roll of the Peerage or from later official recognition therefore establishes that Edgar's dignity is not presently recognised. It does not prove that no original creation occurred.[33,34,35,36]

The distinction reflects the evidential principle associated with F. B. Palmer: where the patent cannot be found in the Patent Rolls or elsewhere, other evidence may be required.

Recognition is the result of a successful claim. It is not the historical precondition of creation.

A dignity may have existed without appearing upon a later roll, particularly where no holder or petitioner carried its evidence forward into the modern administrative system.

This does not weaken the authority of the Roll. It defines what the Roll proves.

It proves recognition. It does not necessarily prove the non-existence of every unrecognised antecedent dignity.

The effect of heraldic and antiquarian memory

Heralds, antiquaries and historians preserved traditions that might otherwise have disappeared entirely.

Their work requires critical assessment. Later pedigrees and title lists can contain errors, conflations and retrospective constructions. A statement written centuries after Edgar cannot be treated as contemporary proof merely because it appears in a heraldic manuscript.

At the same time, antiquarian evidence is not worthless simply because it is late.

A later writer may preserve an earlier source now lost. A herald may have consulted family documents, monastery records, rolls or manuscripts no longer surviving. Repeated transmission across independent channels can increase evidential weight, although repetition from one common source does not create multiple witnesses.

The Edgar–Oxford tradition survives through precisely this difficult medium.[37,38]

The pathway associated with Robert Glover, Thomas Milles, William Martyn and later David Hume demonstrates continuity of historical memory. Its evidential force depends upon reconstructing who relied upon whom and whether any writer possessed independent material.[39,40,41,42]

The persistence of the tradition is itself significant. It shows that Edgar's association with Oxford was not invented only by modern petitioners.

Persistence, however, is not the same as independent corroboration.[43,44]

A single early error can be repeated for centuries. Conversely, a correct tradition can survive only through repeated copying after the original evidence is lost.[45]

The responsible conclusion lies between dismissal and credulity.

Brooke's omission and the power of later silence

The omission of Edgar from a later authoritative or influential historical account can reshape subsequent memory.

Where one major antiquary includes a tradition and another omits it, later writers may assume that the omission reflects a deliberate rejection based upon superior evidence. Sometimes it does. Sometimes the writer simply worked from a different source base, pursued a different purpose or failed to include marginal material.[46]

The Brooke problem examined earlier in the book illustrates this danger. Omission cannot be made to carry more weight than the circumstances justify.[47]

A later catalogue or history may become so influential that its boundaries determine what future researchers consider possible. Material outside those boundaries gradually disappears from mainstream discussion.

The absence of Edgar's earldom from later standard narratives may therefore reflect both evidential weakness and historiographical narrowing. This is one of the mechanisms by which forgetting becomes self-reinforcing.
Once a title is absent from accepted lists, later historians are less likely to search for evidence of it. The absence then grows stronger with each uncited generation, even though no new act of extinction has occurred.

Historical consensus can be justified. It can also inherit the limitations of its sources.

The loss and destruction of records

The documentary record of medieval England is substantial but incomplete.
War, fire, institutional dissolution, administrative change, private neglect, dispersal of family archives and the ordinary decay of parchment and paper removed an unknowable quantity of evidence.[48]

The destruction or loss of a constitutive instrument cannot prove what it contained. It does, however, prevent the modern absence of that instrument from being treated as though it had never existed.

A claim based upon a missing document must rely upon external evidence. The burden does not disappear. It changes form. The investigator must ask whether contemporary or near-contemporary conduct is best explained by a creation, whether later writers preserve a coherent tradition, whether territorial and political circumstances support the title, and whether contradictory evidence outweighs the case.

Record loss also affects later descent. A private family may have preserved documents for several generations before they were dispersed. A female heir may have carried papers into another household. A title considered politically useless may not have been copied or maintained.

The absence of a complete succession archive is therefore unsurprising. The difficulty is distinguishing ordinary record loss from the absence expected because no dignity existed.[49,50,51,52,53,54,55,56] That distinction can be made only through cumulative evidence.

Non-claim by royal descendants

Margaret's descendants did not publicly maintain Edgar's Oxford title in any clearly continuous way. This silence is important because many of those descendants possessed the resources, status and legal knowledge needed to assert hereditary honours.[57]

Several explanations remain possible:[58]

- The dignity may have been extinct.
- It may have merged into the Crown and lost separate relevance.
- It may have descended into a branch that did not inherit royal office.
- It may have entered abeyance.
- Its existence may have been forgotten.
- Its holders may have considered the title politically or economically insignificant beside greater dignities.

The absence of a claim by kings or major nobles weighs against an uninterrupted, consciously preserved descent. It does not determine the legal status by itself. Royal houses inherited immense numbers of ancestral relationships and possible claims. Not every dormant or obscure dignity was investigated, particularly where the title carried no estate, revenue or political advantage.[59]

A forgotten earldom could remain historically buried beneath active sovereignty.

This possibility creates a natural connection with the broader dynastic inquiry later developed in *Long Live the King*. The return and dispersal of Wessex blood through Margaret's descendants raises questions larger than the survival of one earldom: how constitutional kingship, hereditary memory and dynastic continuity persisted after political displacement. Edgar's probable dignity is one focused expression of that larger problem.

The normalisation of descent and the loss of dynastic memory

The preceding chapter traced the Hallifax descent from David I into a non-sovereign family. That example helps explain how royal ancestry can survive while memory of its constitutional significance disappears.

Each generation inherits only part of the documentary and cultural knowledge of the preceding one. Marriages introduce new surnames, residences, occupations and family identities. Younger branches cease to preserve the traditions associated with the senior house. Economic and social changes alter what records are considered valuable.

After several centuries, a direct descendant of a king may live as a cleric, tradesperson, professional or ordinary citizen without any awareness of the lineage.

This normalisation of royal descent is not a break in genealogy. It is a break in social memory.[60,61]

A dignity passing through the same sequence would be even more vulnerable. Unlike ancestry, which exists biologically whether remembered or not, a title requires proof, recognition and a traceable legal direction.

The Hallifax case therefore illustrates both continuity and loss.

The ancestry continues. The knowledge may disappear. The legal incidents of a particular dignity may become impossible to assert without later reconstruction.

Dormancy, abeyance and historical terminology

The terms dormant, abeyant, extinct and unrecognised should not be used interchangeably:[62]

- A dormant dignity is commonly one that is believed to exist but is not actively claimed or established in a recognised holder. [63]
- An abeyant dignity is one in which equal hereditary rights prevent sole possession.
- An extinct dignity has no surviving lawful line or has otherwise been legally terminated.[64]
- An unrecognised dignity may be alleged historically but has not been accepted by the competent constitutional authority.[65]

Edgar's proposed earldom cannot presently be assigned conclusively to any one of these categories:[66]

- It is unrecognised in modern constitutional practice.
- It may have become extinct through forfeiture or failure of the limitation.
- It may have entered the Crown.
- It may have become dormant or abeyant.

The evidence presently supports an historical inquiry into creation and possible descent. It does not support a definitive classification of its current legal status.
Precision in terminology prevents the historical case from being overstated.

Prescription and the passage of centuries

The mere passage of time does not operate uniformly upon hereditary dignities.
Private claims to land, debts or other rights may be affected by limitation periods, adverse possession or prescription. A peerage dignity occupies a different constitutional category.
Long non-use may create formidable evidential and practical barriers. It may also support an inference that the alleged dignity did not survive.

Yet the passage of centuries does not necessarily create a new legal instrument extinguishing an otherwise valid hereditary honour.

Historical peerage claims have sometimes been examined after long periods of dormancy. Their success depends upon proof, not continuous social use alone.

This does not mean that age strengthens a claim. Usually, it does the opposite. Documents are lost, pedigrees become more complex and alternative explanations multiply.

The point is narrower: elapsed time is evidence of difficulty and silence, not automatically a legal act of extinction.

The Edgar claim must therefore confront the centuries directly rather than treating them either as fatal or irrelevant.

The evidential value of continuous usage

Continuous usage would have been powerful evidence.[67,68,69,70 Had] Edgar's heirs repeatedly styled themselves Earls of Oxford, appeared in royal records under that title, transmitted it through recognised succession and defended it against rival creations, the case would be far stronger.

That evidence does not exist. Its absence is one of the principal weaknesses in the survival proposition.[71] The later antiquarian tradition partially compensates by showing that the association was remembered, but it cannot replace a continuous official succession.
This imbalance should be stated openly.

The historical case for probable creation may be stronger than the case for uninterrupted survival. A title can be created and later extinguished. Establishing the first proposition does not require the second.[72] The absence of continuous usage therefore limits the conclusion without destroying the creation argument.

Later recreation and the meaning of territorial names

The use of Oxford in a later earldom raises the question whether the earlier dignity had already ceased to exist. Territorial names in dignities were not always exclusive in the modern commercial sense. A later monarch could recreate a title after extinction or forfeiture. The same geographic designation might be used in different periods for different holders.

A new creation can therefore imply that the Crown considered the earlier dignity no longer active. It does not reveal why:[73]

- The earlier dignity may have been extinguished.
- It may have merged in the Crown.
- It may have been treated as forfeit.
- The later creation may also have occurred without awareness of an obscure earlier tradition.
- The de Vere earldom is thus evidence of a later constitutional reality, not a complete adjudication of Edgar's status.

Its importance lies in showing that whatever became of Edgar's probable dignity, it was no longer functioning publicly as a competing Earldom of Oxford when the later title emerged.

That is a substantial historical conclusion. It stops short of identifying the legal event that produced the disappearance.

Historical survival without public exercise

A dignity may survive historically in more than one sense:

- It may survive legally as an extant hereditary right.
- It may survive genealogically through descendants of the first holder's family.
- It may survive evidentially through records, traditions and later references.
- It may survive culturally as part of a disputed understanding of the past.

These forms should not be collapsed.[74] Edgar's Wessex ancestry survives genealogically beyond question through Margaret's descendants.[75] The tradition of an Oxford earldom survives evidentially in early-modern and later historical writing.[76]

The legal dignity may or may not have survived. The historical importance of the inquiry does not depend entirely upon proving modern legal existence. Even if the dignity was later extinguished, establishing that Edgar was probably created or confirmed as an earl remains a significant reinterpretation of the Norman settlement.

Likewise, demonstrating that Oxford was the leading territorial identification would alter the history of the title without requiring its modern revival.

Historical survival is therefore broader than legal survival.[77,78]

The argument from complete silence

A strong objection remains: if Edgar had truly been Earl of Oxford, why is the title not clearer in contemporary records and later succession? The question is legitimate. The answer cannot be that all silence is meaningless. The weakness of contemporary title-specific evidence must remain central to the assessment.

The more precise response is that the evidence is uneven rather than wholly absent.

Medieval testimony supports comital rank. William's political settlement and provision of substantial lands support accommodation at a high level. Later heraldic and historical traditions associate Edgar with Oxford. Professor Tom Licence considered an earldom probable. The original instrument is missing, and continuous title usage is not shown.[79,80]

The evidence therefore supports a qualified conclusion.[81] It is stronger than unsupported invention. It is weaker than a documented patent and continuous succession. The silence limits the finding to probability and prevents present entitlement from being declared.

Forgetting as an historical process

Forgetting is not a single event. It is a sequence.[82,83] A title loses its active political function. Its estates and office pass elsewhere. The holder leaves no obvious successor. The family line moves through women and new surnames. Records are dispersed. A later title occupies the same territorial name. Major historians omit the earlier tradition. Official lists reflect only recognised dignities.

Future generations assume the silence proves non-existence. By the end of that process, historical absence appears natural. The task of reconstruction is to reverse the sequence cautiously. It cannot restore what the evidence does not support. It can identify where assumptions of non-existence arose from accumulated omission rather than from a known legal act.

Edgar's Oxford tradition is especially suited to this method because the forgetting itself can be traced through changes in political context and historical writing.

The limits of revival

Historical recovery does not automatically create legal revival. A modern book can reconstruct evidence, expose an overlooked tradition and establish a stronger historical probability. It cannot by itself place a dignity on the Roll of the Peerage, determine an abeyance or vest a title in a person.[84]

Those consequences belong to constitutional processes outside historical authorship.
The distinction protects both scholarship and petition. A historical conclusion may be reached even where legal remedy remains unavailable or unresolved.

The petitioners' effort therefore has value whether or not the dignity is ultimately recognised as extant. It asks the constitutional system to consider evidence that the historical record had neglected. The inquiry concerns recognition of the past before it concerns allocation in the present.

Relationship to the companion study

The descent from Edgar through Margaret and David I leads naturally beyond the immediate question of the earldom. It reveals a wider constitutional story: the dynasty displaced in 1066 did not vanish. Its blood entered the Scottish monarchy, returned to the English royal house, passed through later sovereigns and dispersed into non-sovereign families such as the Hallifax line.

That broader continuity provides the intellectual bridge to *Long Live the King*. The present book focuses upon Edgar's constitution as king, his probable comital settlement and the historical identity of the proposed Earldom of Oxford. The companion inquiry considers the longer survival of royal legitimacy, dynastic memory and inherited constitutional direction after political defeat.[85]

The relationship between the books is not merely sequential. It arises from the evidence itself.[86] Edgar's personal kingship failed to become a lasting reign. His dynasty nevertheless continued through Margaret. The Crown that excluded him in 1066 was later occupied by descendants of his immediate family. Royal ancestry then spread through both sovereign and commoner lines.[87,88]

The survival of the dynasty is therefore clearer than the survival of the dignity. That contrast gives the two works their distinct but connected purposes.

The present historical finding

The evidence does not establish an unbroken public succession of Earls of Oxford from Edgar to the present. It does establish that disappearance from use cannot be treated as the sole proof of extinction.

The following propositions emerge:

- Edgar's probable comital dignity may have lost its territorial and political supports during rebellion and dispossession.
- No obvious successor appears in the surviving record.
- Collateral descent through Margaret would have entered a complex royal family in which the title could have been overshadowed, divided, merged or forgotten.
- A later Earldom of Oxford came to dominate historical memory.
- Official non-recognition proves the absence of present acceptance, not necessarily the absence of original creation.[89]
- Antiquarian traditions preserved an association that mainstream history later neglected.
- Non-use over centuries is powerful negative evidence but not an identified legal act.[90]
- The current status remains unresolved.

Chapter conclusion

The disappearance of Edgar's probable dignity from ordinary historical and constitutional usage is one of the strongest objections to its survival.[91]

No continuous succession of recognised holders has been established. No series of official acts preserves the title from Edgar's lifetime into the later peerage. The de Vere earldom came to occupy the territorial designation, and later official practice contains no accepted Edgar creation.

These facts must weigh heavily. They do not, however, prove the original dignity never existed. Nor do they identify the precise legal event by which it became extinct.

Forgetting, non-use, non-recognition and extinction are distinct. A title may disappear because it was forfeited, merged, left dormant, placed in abeyance, overshadowed by greater dignities or lost from family memory. The relevant explanation must be established from evidence rather than assumed from silence alone.

The descent through Margaret and David I demonstrates how quickly a disputed dignity could become obscured within royal and collateral genealogies. The Hallifax line demonstrates how royal ancestry itself could continue into the wider community after its dynastic significance had been forgotten.

The legal survival of Edgar’s probable dignity remains unproved. Its historical survival is clearer. The tradition persisted through heraldic and antiquarian sources, survived later omission and became capable of renewed examination.

The conclusion is therefore, centuries of non-use substantially weaken the proposition that Edgar’s probable dignity remained continuously extant, but they do not independently prove its extinction. The record supports continued historical inquiry into whether the dignity was forfeited, restored, merged, left dormant or dispersed among co-heirs. Present non-recognition is certain; the legal cause of the title’s disappearance is not.

Edgar’s kingship was brief. His probable earldom became obscure. His dynasty endured.[92] That contrast carries the inquiry from the forgotten dignity into the documented petitions through which its history was brought again before constitutional authority.

Chapter 27 endnotes

1 Francis Beaufort Palmer, Peerage Law in England: A Practical Treatise for Lawyers and Laymen (London: Stevens and Sons, 1907), on the distinction among extant, extinct, dormant and abeyant dignities, and on proof of ancient dignities where the original instrument cannot be found.
2 Sir William Blackstone, Commentaries on the Laws of England, Book II, chapter 3, classifying dignities among incorporeal hereditaments. The classification explains why loss of land, revenue or office does not necessarily constitute extinction of the personal dignity.
3 John Selden, Titles of Honor, 3rd ed. (London, 1672), on the historical development of English earldoms, territorial denominations and the relationship among honour, office and land.
4 William Stubbs, The Constitutional History of England in Its Origin and Development, vol. I (Oxford: Clarendon Press, revised eds.), on Anglo-Saxon ealdormen, early Norman earls and the gradual transformation of territorial office into hereditary dignity.
5 G. E. Cokayne, The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, Extant, Extinct or Dormant, new ed., revised by Vicary Gibbs and others, 13 vols. in 14 (London: St Catherine Press and Sutton, 1910–1959). The work's classification of dignities as extant, extinct, dormant or abeyant illustrates that disappearance from current use is not one uniform legal condition.
6 The distinction between disappearance and extinction is analytical. Disappearance describes the absence of visible public use or recognition; extinction requires a legally effective termination or complete failure of the applicable limitation.
7 Palmer, Peerage Law in England, on extinction through failure of heirs within the limitation, forfeiture, surrender and other legally effective events. The applicability of each mechanism depends upon the character and history of the particular dignity.
8 J. H. Round, Peerage and Pedigree: Studies in Peerage Law and Family History, 2 vols. (London: James Nisbet, 1910), on the dangers of treating later silence, incomplete pedigrees or repeated family tradition as substitutes for examination of the underlying records.
9 The absence of a surviving patent cannot prove that an early dignity was never created. It equally cannot prove that a particular lost instrument existed or contained the hereditary terms later attributed to it.
10 Palmer, Peerage Law in England, states the general evidential principle that where a patent cannot be found in the Patent Rolls or elsewhere, other evidence must be considered. The principle permits collateral proof; it does not reverse the burden of proof.
11 The College of Arms describes itself as the official heraldic authority for England, Wales, Northern Ireland and much of the Commonwealth, and records pedigrees, genealogies, changes of name and matters relating to peerages and baronetcies. Its institutional role explains the potential evidential importance of heraldic manuscripts while not making every historical statement within such a manuscript conclusive.
12 Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England 14 (1985), for Edgar's movements, political reversals and uncertain later years.
13 William of Malmesbury, Gesta Regum Anglorum: The History of the English Kings, ed. and trans. R. A. B. Mynors, R. M. Thomson and M. Winterbottom, 2 vols. (Oxford: Clarendon Press, 1998–1999), for Edgar's survival into old age and his diminished but continuing place in Anglo-Norman political memory.
14 Orderic Vitalis, The Ecclesiastical History, ed. and trans. Marjorie Chibnall, 6 vols. (Oxford: Clarendon Press, 1969–1980), for Edgar's repeated movement among submission, exile, rebellion and reconciliation.
15 The Anglo-Saxon Chronicle, versions D and E, for Edgar's elevation after Hastings, submission to William, later movements and intervention in the Scottish succession.
16 Edgar's political history contains several possible points of forfeiture or deprivation. No surviving instrument presently identifies a final and permanent forfeiture of an Oxford dignity in express terms.
17 Reconciliation after rebellion does not prove restoration of every honour previously lost. It establishes renewed political accommodation and leaves the legal status of any dignity to separate evidence.
18 The distinction between the dignity and its material supports is essential. Loss of estates, castles, revenues or local authority could make an earldom disappear from political life without proving the legal extinction of its incorporeal dignity.
19 Conversely, survival of the personal name or family line does not prove survival of the dignity. A title may become extinct while the descendants or collateral family continue.
20 The uncertainty surrounding Edgar's wife, lawful issue, date of death and place of death contributes to the absence of a visible succession. Hooper, "Edgar the Ætheling"; William of Malmesbury, Gesta Regum Anglorum.
21 No secure contemporary or near-contemporary succession proceeding identifies a person who inherited Edgar's probable comital dignity.
22 Edgar's sister Christina is associated with religious life and left no securely established spouse or descendants. Anne Williams, "The Speaking Cross, the Persecuted Princess, and the Murdered Earl: The Early History of Romsey Abbey" (2007), provides a modern study of Christina's position and Romsey associations.
23 Margaret's descendants possessed royal and princely identities of far greater political visibility than any collateral earldom inherited from Edgar would have carried. That circumstance supplies a plausible explanation for non-use but does not prove that the dignity entered Margaret's line.
24 Francis Beaufort Palmer, Peerage Law in England, on the impartibility of dignities and abeyance among co-heirs. An abeyant dignity may cease to have a publicly recognised holder without becoming extinct.

25 Where equal co-heirs exist, no individual possesses a divisible fraction capable of separate exercise. Each line represents a competing right to the whole dignity.
26 The multiplication of descendants over successive generations can make an unresolved heirs-general descent extremely difficult to reconstruct. This genealogical complexity is illustrated by the sovereign and Hallifax lines discussed in Chapter 26.
27 The Hallifax descent from David I demonstrates continuation of royal ancestry through repeated female transmission and surname change. It does not establish that Edgar's probable dignity followed that branch.
28 G. E. Cokayne, The Complete Peerage, vol. X, under "Oxford," for the recognised history of the de Vere Earldom of Oxford and its successive holders.
29 The de Vere family's association with the Earldom of Oxford became the dominant recognised meaning of the title in English peerage history. That later constitutional reality is relevant negative evidence against a visibly continuing Edgar dignity.
30 A later creation of the same territorial title is compatible with an earlier dignity having become extinct, forfeited or merged. It is more difficult to reconcile with an earlier dignity remaining in active and recognised possession.
31 The existence of the de Vere earldom does not identify the legal event by which any earlier Edgar dignity ceased to be exercisable. It establishes that the alleged earlier title was no longer functioning publicly as a competing earldom.
32 The Complete Peerage, in treating peerages as extant, extinct, dormant or abeyant, demonstrates that later peerage history distinguishes among several explanations for the absence of an active holder.
33 The Roll of the Peerage is the official record of recognised peerages and their holders. The College of Arms maintains public resources concerning the Roll and the proving of succession. Edgar's alleged dignity is not presently recognised there.
34 Present omission from the Roll establishes present non-recognition. It does not function as a contemporary eleventh-century record disproving original creation.
35 Current government material describes the Roll as an officially compiled and maintained list intended to contain the names of living peers. Its function is present constitutional recognition rather than a complete catalogue of every alleged, extinct or disputed medieval dignity.
36 Official recognition and historical existence must therefore be kept distinct. An alleged ancient dignity may have existed historically without being presently recognised; recognition nevertheless requires a competent constitutional process and satisfactory proof.
37 Robert Glover, Somerset Herald, is the earliest known heraldic authority presently identified within the Edgar–Oxford transmission considered in this book.
38 Thomas Milles, The Catalogue of Honor, or Treasury of True Nobility Peculiar and Proper to the Isle of Great Britaine (London, 1610), preserves the Edgar–Oxford attribution in the early-modern printed tradition.
39 William Martyn, The Historie and Lives of the Kings of England (London, seventeenth-century editions), belongs to the subsequent historical transmission of Edgar's royal and comital identity.
40 David Hume, The History of England from the Invasion of Julius Caesar to the Revolution in 1688, in the treatment of the Conquest, preserves a version in which Harold granted Edgar the Earldom of Oxford and William confirmed it.
41 Hume's account is later historical testimony rather than independent medieval evidence. Its value depends partly upon identifying the earlier source or intermediary from which the statement was derived.
42 The evidence indicates that the Glover-to-Milles transmission is direct or intermediary and more likely than not, while the exact immediate source used by Hume remains unresolved.
43 Repetition by later writers does not create independent corroboration where those writers depend upon Milles, Hume or another shared source.
44 A later source may nevertheless preserve authentic information from a now-lost document. The possibility must be evaluated through provenance, chronology, source dependence and consistency with independent evidence.
45 J. H. Round, Peerage and Pedigree, provides the governing methodological warning against accepting heraldic and genealogical repetition without examining its documentary foundation.
46 Later omission is not necessarily a reasoned rejection. A writer may omit a title because it fell outside the scope of the work, because the source was unavailable, or because an established later title displaced interest in an earlier attribution.
47 The Brooke-related omission examined earlier illustrates how later historiographical silence can acquire authority beyond what its original context justifies.
48 The destruction and dispersal of medieval records arose from numerous causes, including war, fire, administrative reorganisation, monastic dissolution, private neglect and the decay of documents. General record loss explains possibility, not the specific contents of any missing instrument.
49 The absence of a document that would ordinarily be expected to survive may carry adverse evidential weight. That weight is reduced where the relevant record class is known to be incomplete or the political and custodial circumstances were unstable.
50 The period commonly known as the Anarchy followed the death of Henry I in 1135 and the disputed succession of Stephen and the Empress Matilda. Edmund King, King Stephen (New Haven and London: Yale University Press, 2010), provides a modern account of the conflict and its political effects.
51 Marjorie Chibnall, The Empress Matilda: Queen Consort, Queen Mother and Lady of the English (Oxford: Blackwell, 1991), on the disputed succession, competing governments and prolonged instability of Stephen's reign.

52 H. A. Cronne, The Reign of Stephen, 1135–54: Anarchy in England (London: Weidenfeld and Nicolson, 1970), on disruption of royal authority, local power and administration during the conflict.
53 Edgar's precise death date remains uncertain, but his probable final years lie close to the opening of the Anarchy. That chronological proximity creates a plausible environment in which already fragile records of his final status or succession could have been neglected, dispersed or lost.
54 The Anarchy must not be used as proof that a particular earldom record existed and was destroyed. It supplies historical context for a possible interruption of institutional and family record management.
55 The disorder would have been especially damaging to the memory of a dignity already separated from its territorial office, lacking an obvious successor and overshadowed by the greater titles of Margaret's descendants.
56 A finding of record loss cannot establish the contents of the missing record. It explains why direct evidence may be absent and permits the remaining evidence to be assessed without assuming that the archive was complete.
57 The absence of continuous claim by Margaret's royal descendants is substantial negative evidence. Those descendants often possessed the resources and political position necessary to preserve important hereditary rights.
58 Their silence is nevertheless compatible with several explanations: extinction, merger in the Crown, transmission into another branch, abeyance, loss of memory or the practical insignificance of an unsupported title without lands or revenue.
59 Royal houses accumulated numerous ancestral relationships and claims. The lack of public assertion of one obscure dignity cannot independently identify its legal fate.
60 Chapter 26's concept of the normalisation of royal descent explains how ancestry could remain continuous while knowledge of an associated medieval dignity disappeared.
61 Surname changes caused by female transmission do not break genealogy, but they can obscure family memory and separate later descendants from the records, estates and traditions of the original house.
62 The terms dormant, abeyant, extinct and unrecognised are not interchangeable. Palmer, Peerage Law in England; Cokayne, The Complete Peerage.
63 A dormant dignity is generally one whose lawful holder is not presently established or exercising the title, while an abeyant dignity is suspended among equal co-heirs. Usage of "dormant" has varied, and the exact classification depends upon constitutional recognition.
64 An extinct dignity has ceased to be capable of lawful descent under its limitation or has otherwise been terminated.
65 An unrecognised dignity is one not accepted within the current constitutional record, whether because it never existed, became extinct, lacks sufficient proof or remains procedurally unresolved.
66 Edgar's alleged earldom is presently unrecognised. Its classification as extinct, dormant, merged or abeyant has not been conclusively established.
67 Long non-use is powerful evidence, especially where continuous public exercise would ordinarily be expected. It does not necessarily operate as an independent act of legal extinction.
68 In the Matter of the Baronetcy of Pringle of Stichill [2016] UKPC 16 demonstrates, in a materially different hereditary context, that delay and long acceptance of an incorrect succession did not prevent correction when reliable evidence established the lawful line.
69 Pringle concerned a known baronetcy with an express male-line limitation and decisive DNA evidence. It does not establish that Edgar's alleged dignity survived; it illustrates that non-claim and public assumption are not invariably conclusive.
70 Continuous usage would have been powerful affirmative evidence for Edgar's title. No unbroken sequence of holders using the title from Edgar into later medieval peerage history has been established.
71 The absence of continuous official usage is one of the principal weaknesses in the survival proposition and must not be displaced merely by the persistence of an antiquarian attribution.
72 Historical creation and legal survival remain separate propositions. A finding that Edgar probably held a dignity is compatible with a later finding that it was forfeited, extinguished or merged.
73 The later de Vere title demonstrates that Oxford was available for a recognised subsequent creation or settlement. That fact strongly suggests that any earlier dignity was no longer in active private possession, although it does not identify whether the cause was extinction, merger or another legal condition.
74 Historical survival may describe survival in legal, genealogical, evidential or cultural form. Those forms must be distinguished.
75 Edgar's family survives genealogically through Margaret beyond reasonable dispute.
76 The Edgar–Oxford attribution survives evidentially through heraldic and historical writing.
77 The legal survival of the dignity has not been proved.
78 The cultural survival of the proposition is demonstrated by its preservation, renewed research and formal presentation in the original and Supplemental Petitions.
79 Professor Tom Licence's opinion supports the probability that Edgar was made an earl after submission to William. It does not establish continuous survival or Oxford independently.
80 The combination of medieval references to comital rank, political context, landholding and expert opinion makes the creation case stronger than the survival case.
81 The argument from silence is strongest where the missing evidence would ordinarily have been generated and preserved. Its force is reduced where the alleged dignity existed briefly, lost its practical supports, passed collaterally and entered a period of administrative instability.

82 The term "forgetting" describes a cumulative historical process rather than a single constitutional event: loss of office, loss of lands, uncertain succession, surname change, archive dispersal, competing title creation and later historiographical omission.
83 No stage in that sequence independently proves extinction. Together, the stages help explain why the title ceased to be visible.
84 Historical reconstructions can recover evidence and reassess probability. It cannot itself enter a dignity upon the Roll, determine an abeyance or confer legal entitlement.
85 The original and Supplemental Petitions are primary sources for the modern recovery and constitutional presentation of the Edgar–Oxford case. Their historical assertions derive their weight from the underlying sources rather than from the act of petitioning.
86 The relationship with Long Live the King arises from the distinction between Edgar's uncertain personal dignity and the clearer survival of his dynasty through Margaret and David I.
87 Edgar's personal kingship failed to become an enduring reign; his family's dynastic direction continued into the Scottish and later English monarchy.
88 The Hallifax line supplies a documented non-sovereign example of that same wider dynastic dispersal. It supports continuity of ancestry rather than continuity of the earldom.
89 Present official non-recognition is certain. Government and College of Arms materials identify formal rolls and procedures through which recognised peerages and successions are recorded; no recognised Edgar Earldom of Oxford presently appears within that framework.
90 The conclusion of Chapter 27 is evidential rather than distributive: centuries of silence substantially weaken survival, but no identified legal act presently proves extinction.
91 Edgar's probable dignity is assessed separately at the stages of creation, territorial identity, hereditary character, forfeiture or restoration, and descent.
92 The final sentence— "Edgar's kingship was brief. His probable earldom became obscure. His dynasty endured."—summarises three propositions carrying different evidential strengths and does not declare the title legally extant.

PART VII — PETITION, PROOF AND REMEDY

This page is intentionally left blank.

CHAPTER 28
Original and Supplemental Petitions

The modern constitutional history of Edgar Ætheling's probable dignity begins not with recognition, but with petition.

The petitions did not create the historical evidence upon which the case depends. They gathered, organised and presented that evidence to constitutional authorities. Their importance lies in transforming an antiquarian and genealogical inquiry into a formal request for examination.

That distinction is fundamental. A petition is an instrument of advocacy. It states propositions, assembles material and seeks a particular response. It does not prove its own assertions merely because it has been lodged, received or considered.

The original petition and the later Supplemental Petition must therefore be read in two ways. They are evidence of the procedural history of the claim, and they are structured presentations of the petitioners' historical case. They are not independent proof of Edgar's kingship, comital creation, Oxford identification, legal survival or modern title direction.[1]

Their value depends upon the sources they cite, the reasoning they employ and the constitutional responses they generated.

The transition from research to petition

The petitioning process emerged from a longer programme of historical and genealogical research.

The central inquiry concerned Edgar Ætheling's position after the Battle of Hastings. Conventional summaries often described him as the young claimant selected by the English leadership but never crowned, followed by his submission to William I and later involvement in rebellion and exile. That outline left several questions insufficiently examined.

The first concerned the constitutional character of Edgar's elevation. Was he merely proposed, or was he constituted King of the English by the surviving political leadership?

The second concerned the settlement following his submission. Did William merely pardon and retain him, or did the settlement include creation or confirmation as an earl?

The third concerned the territorial designation. If Edgar possessed comital rank, was Oxford the leading identification of the dignity?

The fourth concerned hereditary character and possible survival. If an early dignity was granted without a special limitation, could it have descended to heirs general despite the loss of its lands and public use?

The fifth concerned modern procedure. By what means could an unrecognised dignity, alleged to pre-date standardised letters patent and surviving principally through indirect evidence, be placed before constitutional authority?

The petitions were the means by which those questions were presented together.

The petitioners

The original proceedings were advanced by John Lindsay Robert Guest, Darren John Halifax and Dennis Keith Lillee.[2]

Their participation reflected documented genealogical relationships within the wider research corpus. Each petitioner approached the matter through an identified ancestral line rather than through the purchase, assignment or invention of a title.

Their genealogical standing gave them a legitimate interest in the historical inquiry. It did not establish that any one of them was the lawful holder of the dignity.

That distinction was especially important because a dignity descending to heirs general would be impartible. A large number of people might descend genealogically from Edgar's collateral family, while only one person—or an unresolved body of co-heirs—could represent the legal direction of the title.

The petitioners' joint participation should therefore not be interpreted as an assertion that the earldom was held collectively by three modern individuals. Their common position was evidential and procedural: they sought investigation of an antecedent historical dignity and the lineage surrounding it.[3,4,5]

Their interests were aligned in recovering the history. Their possible legal positions within any eventual descent remained separate and unresolved.

The original petition

The original petition brought the alleged historical creation and its associated evidence into a formal constitutional setting.[6,7,8,9]

Its argument proceeded broadly from Edgar's royal identity, his constitution as king after Hastings, his submission to William, the political necessity of accommodating him, later testimony to his comital rank and the historical tradition associating him with Oxford.[10,11,12,13] It also presented genealogical evidence connecting the petitioners with the wider dynastic and collateral lines under investigation.

The petition's significance did not lie in the originality of every individual source. Much of the historical material was already available in chronicles, antiquarian works, peerage discussions, genealogical records and modern scholarship. The petition's contribution was to bring those materials into a single structured case and direct them toward a constitutional question. That process exposed the difference between dispersed evidence and an articulated claim.

A chronicle reference to Edgar as an earl may remain unnoticed when read solely as part of a political narrative. An antiquarian attribution of Oxford may be dismissed as an isolated curiosity. A legal work explaining how dignities could be proved without a surviving patent may appear unrelated. A royal pedigree may be treated as genealogy without constitutional consequence.

The petition placed those materials in conversation with one another.

That synthesis gave the case procedural form. It did not remove the need to test each component independently.

The relief sought

A petition concerning an alleged ancient dignity can seek several different forms of response:

- It may ask for recognition that the dignity was created.
- It may ask for recognition that the dignity remains extant.
- It may ask for determination of the lawful holder.
- It may ask for referral to an appropriate constitutional body.
- It may seek permission or guidance to provide further evidence.

These forms of relief should not be conflated. Recognition of historical creation is narrower than recognition of present title ownership. A finding that William I probably created or confirmed Edgar as an earl would not determine whether that dignity survived rebellion, forfeiture, restoration, collateral descent, merger or abeyance.[14,15,16,17]

Likewise, identification of Oxford as the leading territorial designation would not establish a current right to use the title.

The petitions increasingly revealed the need to separate these questions. The historical existence and original character of the dignity could be examined before the far more complex inquiry into legal survival and modern direction was completed.

That separation became one of the most important developments in the procedural history.

The evidential architecture of the original case

The original petition depended upon several connected classes of evidence.
The first was dynastic and constitutional. Edgar's direct descent from the royal house of Wessex, his designation as an Ætheling and his constitution as king after Hastings established that he was not an ordinary defeated noble.

The second was political. William needed to secure the submission of a rival royal figure whose existence could sustain resistance. Accommodation through rank, land and honour was consistent with Norman methods of settlement.

The third was medieval testimony. Sources describing Edgar with comital rank provided evidence that he was recognised as an earl, even where the territorial designation remained unclear.

The fourth was territorial and geographical. Edgar's Wessex associations, the political structure of Oxfordshire and evidence connected with estates such as Great Chesterford contributed to the inquiry without independently proving the title.

The fifth was antiquarian and heraldic. The tradition transmitted through Glover, Milles, Martyn, Hume and later writers associated Edgar with the Earldom of Oxford.

The sixth was legal-historical. Works concerning early dignities, creation before standard letters patent, proof where the original instrument was absent, fee-simple descent and heirs general supplied an analytical framework.

The seventh was genealogical. The documented lines from Edgar's immediate family through Margaret and later descendants established possible collateral directions and the petitioners' relationships to the wider dynasty.

No single category proved the whole case. The petition's force lay in their cumulative interaction.

Advocacy and evidential restraint

A petition necessarily presents the petitioner's case in its strongest responsible form. That characteristic requires the reader to distinguish assertion from substantiation.

Where the petition states that Edgar was Earl of Oxford, the statement represents the proposition for which recognition is sought. Its evidential weight comes from the cited sources and reasoning, not from the petition's own authority:[18]

- Where it sets out a genealogy, the pedigree must be tested against the underlying records.
- Where it characterises a legal principle, the relevant authorities must be examined in their proper context.
- Where it describes official correspondence, the exact wording and procedural effect of that correspondence must be preserved.

This approach does not diminish the petitions. It places them within the correct category.

They are primary sources for the modern history of the claim. They are secondary or derivative presentations of the medieval and legal evidence upon which the claim rests.

That dual character makes them indispensable but not self-proving.

Initial constitutional reception

The submission of the original petition brought the case into contact with the institutions responsible for advising upon honours, peerages and constitutional procedure.

Receipt of a petition does not amount to acceptance of its merits. Administrative acknowledgement proves that the document entered a process, not that its historical conclusions were recognised.

Nevertheless, the subsequent handling of the case is relevant.

A petition that is plainly incapable of constitutional consideration may be rejected without further engagement. A request for additional evidence, clarification or supplemental submission indicates that the material has crossed a procedural threshold, even though the ultimate conclusion remains open.

The Edgar case reached such a threshold.

The assembled evidence concerning Williamian comital creation was considered sufficient to support further examination. The territorial identification, hereditary character, legal survival and direction required fuller treatment.[19]

This distinction shaped the Supplemental Petition.

The prima facie gateway

The invitation to submit supplemental material did not recognise Edgar as Earl of Oxford. It did not declare the dignity extant, and it did not identify a modern holder.

Its importance lay in the evidential gateway that preceded it.
Evidence assembled by Guest established a prima facie case that William I had created or confirmed Edgar Ætheling as an earl. Much of the material carried the Oxford appellation, but the initial threshold concerned the probability of a Williamian comital creation.

A prima facie case is not a final determination. It is a case sufficient on its face to justify further examination unless displaced by contrary evidence. The threshold was therefore significant but limited.

It confirmed that the absence of the original constitutive instrument was not automatically fatal. The historical evidence could be considered through other sources and circumstances. It also confirmed that the inquiry could not stop at the probable existence of comital rank.

The next questions concerned what the dignity was, how it was held, what happened to it and where any surviving right might have passed.

The need for a Supplemental Petition

The original petition opened the constitutional inquiry but did not resolve all the questions arising from it. An allegation that Edgar was created or confirmed as an earl required fuller treatment of the Oxford designation. The antiquarian tradition had to be distinguished from contemporary evidence, and the dependencies among later sources required examination.[20]

The hereditary character of the dignity also demanded analysis. Without a surviving patent, the inquiry had to consider whether the honour was personal, territorial, hereditary in fee simple or otherwise limited.[21,22]

The political history of rebellion and reconciliation created an additional difficulty. A dignity could have been created and later forfeited. It could have been restored, regranted, merged or extinguished.

The descent through Edgar's sisters introduced further complexity. Christina's possible issue had to be considered before the line through Margaret. The royal and non-sovereign descendants of Margaret and David I then had to be distinguished from the legal direction of the title.

The Supplemental Petition was therefore not merely a repetition of the original claim. It was an attempt to answer the questions the original submission had exposed.

The 2024 Supplemental Petition

The 2024 Supplemental Petition expanded the evidential and legal structure of the case.[23,24]
Its function was to develop the historical creation argument, clarify the Oxford identification, address the incidents of early hereditary dignity and examine possible descent.[25]
It also responded to the procedural reality that a claim based upon an alleged eleventh-century creation could not be assessed through the same documentary expectations applied to a later patent peerage.

The Supplemental Petition therefore relied upon cumulative historical proof.

It treated William's political settlement, medieval references to comital rank, antiquarian title traditions, legal commentary and genealogy as related but analytically distinct.

The petition did not eliminate uncertainty. It made the uncertainties visible.

The absence of a contemporary instrument joining Edgar, comital rank and Oxford remained central. The possibility of forfeiture remained unresolved. The descent to a modern holder had not been established.

The supplemental case was strongest where it preserved those limits while showing that they did not erase the underlying historical question.

Creation and territorial identification

One of the most important refinements was the separation of comital creation from the Oxford designation.

The evidence that Edgar possessed or was accorded the rank of earl does not depend entirely upon proving Oxford. Medieval descriptions of comital status, William's treatment of Edgar and the political logic of accommodation can support probable creation or confirmation independently.[26]

Oxford is a further proposition.[27] Its evidence rests primarily upon the early-modern historical and heraldic tradition, supported by geographical and political plausibility. No surviving contemporary formula presently identifies Edgar explicitly as Earl of Oxford.

This separation improved the structure of the claim.

It allowed the constitutional authority to consider whether Edgar was probably an earl even if the territorial designation remained disputed. It also prevented weakness in the Oxford attribution from being treated as automatically fatal to the broader Williamian creation argument.

This book follows the same analytical sequence.

Creation and survival

The Supplemental Petition also had to distinguish original creation from later survival.
The creation of a dignity in late 1066 or early 1067 would not determine what happened during Edgar's subsequent rebellions. Loss of lands and practical authority could have accompanied a permanent forfeiture. Alternatively, the dignity could have survived, been restored or been regranted.

Later reconciliation with William and renewed accommodation under Norman rulers complicate the inference of permanent extinction.

The petitioning process did not produce a definitive forfeiture judgment or restoration instrument. It therefore could not establish continuous survival as a concluded fact.[28]

This limitation explains why the modern case should not be framed as a simple demand to recognise an uninterrupted Earldom of Oxford descending from Edgar to a named petitioner.[29]
The historical creation question is materially stronger than the modern entitlement question.
The procedural strategy increasingly reflected that difference.

The petitions and the heirs-general model

The alleged dignity's possible descent to heirs general became an essential component of the supplemental case.

No surviving special limitation confines the dignity to heirs male. If the honour was hereditary in the manner of an early fee-simple dignity, transmission through women and collateral relatives was legally possible.

That model led from Edgar's lack of proven lawful issue to Christina and Margaret.
It also created the possibility of co-heirship and abeyance. A descent through numerous daughters could distribute competing rights among many branches without dividing the title itself.

The petitions' genealogical material was therefore relevant in two distinct ways.
It demonstrated that Edgar's family did not become extinct genealogically.
It also revealed why a present title-holder could not be identified merely by tracing one selected line.

A complete heirs-general claim requires the examination of every potentially senior or equal branch. The petitions opened that field but did not close it.[30]

The Hallifax pedigree in the petitioning context

The Hallifax line contributed a documented example of descent from David I through a non-sovereign branch.

The line passed through Ada of Huntingdon, the Hastings, Grey, de Burgh and Waterton families to Jane Waterhouse, née Waterton, and her son, the Reverend Robert Hallifax.
A second royal line entered through Muriel Waterton, née Leeke, descending from Edward I and Eleanor of Castile through Elizabeth of Rhuddlan and the Bohun, FitzAlan, Goushill, Stanley, Savage and Leeke families.

The College of Arms pedigree MS 7D14/45, dated 16 December 1788, preserved the later Waterhouse–Hallifax descent and provided an institutional pedigree source within the research corpus.

The evidential use of this line was not to declare the Hallifax descendant holder of Edgar's dignity. It demonstrated the survival and normalisation of royal ancestry outside the reigning line.
It also illustrated the breadth of the heirs-general problem. A medieval royal family could produce both sovereign and commoner descendants. The title direction could not be inferred solely from the modern social position of either.

Genealogical standing and constitutional standing

A person may possess strong genealogical standing without possessing a recognised constitutional title.[31]

The petitioners' pedigrees gave them a legitimate relationship to the historical inquiry. Their research, family records and documented lines enabled them to present evidence concerning Edgar's wider dynasty.

Constitutional standing in relation to a peerage claim is narrower. It depends upon the legal rules governing who may assert the right, the nature of the relief sought and whether the claimant can demonstrate an interest recognised by the relevant process.[32]

The petitions did not convert genealogy into title ownership. They used genealogy to explain why the petitioners were connected to the subject and why the descent question required examination.

That distinction also supported a wider historical request. The existence and character of Edgar's alleged dignity could be investigated even before a final modern heir was identified.[33] The constitutional system could consider the historical antecedent without prejudging the destination.[34]

Documentary proof without the original patent

The absence of a surviving patent was one of the central procedural obstacles.
For an eleventh-century dignity, requiring a standardised later-form patent would impose an anachronistic test. Creation could occur through royal act, public recognition, investiture, land settlement or other forms not preserved in later enrolment systems.

The relevant legal-historical principle was that where the patent could not be found in the Patent Rolls or elsewhere, other evidence might be used.

That principle did not reduce the burden of proof to speculation. It redirected the inquiry toward:

1. contemporary or near-contemporary descriptions;
2. royal conduct;
3. political circumstances;
4. land and office;
5. later records preserving earlier traditions;
6. and consistent recognition.

The invitation for supplemental material demonstrated that this evidential route was procedurally available. The missing instrument remained a weakness. It was not an automatic bar.

Expert historical opinion

The opinion of Professor Tom Licence became a significant part of the petitioning record. Expert opinion does not replace primary evidence. Its value lies in interpreting the surviving sources, political context and historical probabilities according to specialist knowledge. Professor Licence's assessment supported the probability that Edgar was made an earl following his submission to William.

That opinion strengthened the Williamian creation case because it arose from an independent medieval historian's evaluation rather than from the petitioners' assertion alone.[35]
It did not establish Oxford as the territorial designation, nor did it determine hereditary limitation or present survival. The petitions therefore had to use the opinion proportionately.

It supported one important stage of the argument: probable comital incorporation into William's settlement. The following chapter examines that opinion and its proper evidential scope more closely.

Official correspondence as procedural evidence

Correspondence generated during the petitioning process became part of the modern evidential record.[36] Such correspondence must be read precisely.

Administrative language may acknowledge a claim, request evidence, explain procedure, reserve a question or decline determination. Small differences in wording can carry substantial consequences. An invitation to provide additional material is not recognition.[37] A statement that an alleged creation is capable of forming part of a peerage claim is not a finding that the creation occurred.[38,39,40,41,42] A decision to leave a matter in abeyance is not a declaration that a peerage dignity is legally in abeyance among co-heirs.[43,44]

Procedural abeyance and hereditary abeyance are distinct. The former means that an administrative or constitutional question remains unresolved or suspended. The latter describes the legal condition of an impartible dignity among equal co-heirs.

The correspondence preserved the creation issue for further consideration while withholding final judgment.[45,46,47,48] That was procedurally meaningful even though it did not determine the merits.[49,50,51,52,53]

The development during 2025

During 2025, official correspondence continued to treat the alleged antecedent creation as a matter capable of forming part of a peerage claim. The creation question was not resolved. It remained in procedural abeyance.

This position neither rejected nor recognised the historical proposition. It preserved the matter while the evidential and procedural issues remained incomplete.

Late in 2025, the petitioners advanced a further refinement. They proposed that the historical existence and original character of the dignity be considered separately from the unresolved legal descent or direction of the personal dignity title.[54]

That proposal reflected the structure of the evidence.[55]

The probable Williamian creation could be investigated through historical sources and expert assessment.

The Oxford designation could be assessed as a related but distinct question. The modern title direction required a far larger genealogical and legal inquiry.

Separating those stages offered a means of avoiding the all-or-nothing assumption that no historical finding could occur until every modern heir had been identified.

Historical recognition without private allocation

A determination that Edgar was probably created or confirmed as an earl would be historically important even if no present holder could be recognised. It would alter the understanding of William's settlement with the last male dynast of Wessex.

A further finding that Oxford was the leading territorial identification would restore a title tradition excluded from the usual historical succession.[56]

Neither finding would require the Crown to award the dignity to a petitioner.

The title might have become extinct. It might have merged in the Crown. It might remain unresolved among co-heirs. Its legal direction might be incapable of proof.

Historical recognition and private allocation are therefore severable. The petitions gradually moved toward this staged conception of relief.

The constitutional value of staged determination

A staged determination allows each proposition to be tested according to the evidence appropriate to it:

- The first stage asks whether Edgar was constituted King of the English.
- The second asks whether William probably created or confirmed him as an earl.[57]
- The third asks whether Oxford is the leading territorial designation.
- The fourth asks whether the dignity was hereditary and capable of collateral descent.
- The fifth asks whether forfeiture, restoration, merger, abeyance or extinction affected survival.
- The sixth asks where the right passed.
- The seventh asks whether any modern person can establish entitlement.[58]

A failure at one stage may prevent later relief without erasing findings already established. For example, a conclusion that modern descent cannot be proved would not disprove Williamian creation. A conclusion that the dignity was extinguished after Edgar's rebellion would not mean it never existed.

This staged approach gives the historical record greater precision.

The petitions as a form of documentary stewardship

The petitions also performed a documentary function. They assembled sources that had been dispersed across chronicles, antiquarian works, genealogical records, legal commentary, institutional correspondence and family archives.[59,60,61,62,63] That assembly preserved an evidential pathway for later scrutiny.[64]

The value of documentary stewardship does not depend upon every argument succeeding. A well-constructed petition identifies its sources, states its propositions and records the constitutional response. Future researchers can then test, correct or expand the case.[65,66] This function is particularly important where the alleged dignity has been forgotten or omitted from standard narratives.[67]

The petitioning process created a modern documentary history of the claim.[68] It transformed an inherited tradition into a record capable of critical examination.[69]

The limits of the petitions

The petitions cannot resolve deficiencies in their underlying evidence merely through repetition or formal submission:[70,71,72]

- They do not supply a lost Williamian instrument.
- They do not create a contemporary association among Edgar, comital rank and Oxford.[73]
- They do not prove a continuous succession.[74,75,76]
- They do not eliminate the de Vere problem.
- They do not resolve Christina's issue through assertion.
- They do not identify every co-heir descending from Margaret.
- They do not establish that any petitioner holds the whole hereditary right.[77]

Their constitutional importance lies precisely in placing these unresolved matters before an appropriate process.

A petition is not weakened by acknowledging what it has not proved. It becomes more credible when its requested relief is proportionate to the evidence.

The relationship between the petitions and this study

This book does not reproduce the petitions as though they were judicial findings. It examines the same historical subject using the petitions as part of the modern record. Where the petitions cite medieval, antiquarian, legal or genealogical evidence, the underlying material remains the substantive source. Where the petitions record the development of the case, their procedural content is primary. Where they express conclusions, those conclusions must be assessed independently.

The book also distinguishes several propositions that advocacy may present together. Edgar's kingship is stronger than the evidence for coronation. Probable comital creation is stronger than the Oxford identification. The Oxford identification is stronger than the case for uninterrupted survival. Genealogical continuity is stronger than present title direction.

This hierarchy of conclusions does not undermine the petition. It clarifies the state of proof.

The petitioners' constitutional objective

The petitioners' objective was not the private acquisition of a newly invented honour. Their case concerned an alleged antecedent dignity: one said to have arisen from the settlement between William I and Edgar Ætheling.

The distinction matters because the Crown's prerogative to create a new peerage is different from the process of recognising or determining an existing hereditary right. A new creation is an act of grant. Recognition of an antecedent dignity is an act of constitutional and evidential determination.

The petitioners sought examination of the latter.

Even where one petitioner hoped ultimately to establish a personal title direction, the historical creation had to be addressed first. No modern descent could exist unless there was an original dignity capable of descending. The case therefore began with history.

Petition, proof and remedy

The procedural structure can be reduced to three separate concepts:

- The petition initiates the request.
- Proof establishes the historical and legal propositions.
- Remedy determines what constitutional response follows.

The petitioners controlled the first. They contributed to the second. They did not control the third. The constitutional authorities remained responsible for deciding whether the evidence justified further investigation, historical recognition, referral, rejection or some other response. This separation explains why official engagement was meaningful without amounting to success.[78] A petition may advance procedurally while remaining unresolved substantively.

The Edgar case had reached that intermediate position.

Chapter conclusion

The original petition and the 2024 Supplemental Petition transformed the Edgar–Oxford tradition from a dispersed body of historical and genealogical material into a formal constitutional claim.

They did not prove their own assertions. Their evidential value depends upon the chronicles, antiquarian traditions, legal authorities, pedigrees and expert assessments upon which they relied.

The original petition established the broad case. It presented Edgar's Wessex identity, his constitution as king, his submission to William, the probability of high political accommodation, the evidence for comital rank, the Oxford tradition and the petitioners' genealogical connections.

The evidence assembled by Guest established a prima facie case that William I had created or confirmed Edgar as an earl. That threshold led to an invitation for a Supplemental Petition addressing the territorial identification, hereditary character, legal survival and possible descent of the dignity.

The invitation was not recognition. It confirmed that the absence of an original patent was not fatal where other evidence justified further examination.

The Supplemental Petition refined the case by separating creation from Oxford identification, and historical existence from modern title direction. It exposed the unresolved questions of forfeiture, restoration, heirs-general descent, co-heirship, merger and extinction.

Official correspondence during 2025 preserved the alleged antecedent creation as a matter capable of forming part of a peerage claim while leaving the creation issue procedurally unresolved. The petitioners later proposed that historical existence and original character be determined before the final descent of the personal dignity.[79]

That staged approach reflects the actual strength of the evidence.

The petitions establish neither a presently recognised Earldom of Oxford nor a private entitlement in any petitioner. They establish that the historical case was formally presented, crossed a prima facie evidential threshold and entered a continuing constitutional process in which creation, identity, survival and descent remained distinct questions.

The petitions brought the forgotten dignity back into documentary existence.

The next question is how much weight should be given to the independent expert opinion that helped carry the creation case across that threshold.

Chapter 28 endnotes

1 The original petition is identified as the Hallifax Family Petition of 2023. It was a petition submitted to King Charles III through collaboration among family members, the researcher and the College of Arms, and as the foundation upon which the 2024 supplemental submission was developed.
2 The three petitioners were John Lindsay Robert Guest, Darren John Halifax and Dennis Keith Lillee, MBE, AM. Their later procedural paper repeats those names on its title page.
3 The 2024 submission was formally titled Supplemental Petition—Creation of Earldom of Oxford 1067. It was accompanied by Professor Tom Licence's letter of expert opinion dated 12 September 2024.
4 A petition is evidence that particular propositions were formally advanced. It is not independent proof that those propositions are historically or legally correct. The Book Abstract accordingly treats the original and Supplemental Petitions as advocacy and procedural sources rather than proof of their underlying historical claims.
5 The petitions are nevertheless primary sources for the modern history of the Edgar–Oxford claim. They establish what the petitioners requested, what evidence they submitted and how the claim developed procedurally.
6 The historical materials cited within the petitions retain their own evidential character. A chronicle remains a medieval narrative source; a pedigree remains genealogical evidence; an expert letter remains opinion evidence; and official correspondence remains evidence of administrative or constitutional treatment.
7 The original petition arose from the petitioners' research into Edgar Ætheling's kingship, his treatment by William I, the evidence for comital rank, the Oxford attribution and the petitioners' own genealogical relationships to the wider Wessex–Scottish dynasty.
8 The original petition's genealogical component established affirmative ascending lines submitted by the petitioners. The Book does not treat those pedigrees as proof that any petitioner possesses the whole legal right to an impartible dignity.
9 The original petition and its evidential schedules should therefore be distinguished from a peerage adjudication. No competent authority had determined creation, survival or present entitlement merely because the petition had been lodged.
10 The initial constitutional and historical question concerned whether Edgar's position after submission to William included comital creation or confirmation. The alleged territorial identity, hereditary limitation and subsequent descent were later and distinct questions.
11 Professor Tom Licence's opinion was expressly commissioned with reference to the petitioners' statement that "Edgar the Ætheling was created an Earl by William I."
12 Licence's opinion did not depend solely upon the petitioners' reasoning. He stated that he would present "additional evidence, and an argument of my own," thereby distinguishing his analysis from simple endorsement.
13 Licence relied upon the Carmen de Hastingae Proelio, William of Poitiers and the Peterborough annal of the Anglo-Saxon Chronicle in assessing Edgar's royal position and William's probable settlement with him.
14 Licence interpreted William of Poitiers' statement that William enriched Edgar with "sizeable lands" as evidence consistent with an earldom, particularly when read beside William's reported willingness to offer Harold the lands formerly held by Earl Godwine in exchange for renunciation of the throne.
15 Licence concluded:
16 "In conclusion, I find in favour of the petitioners' statement that, on balance of probabilities, Edgar the Ætheling was created an Earl by William I, though I arrive at that conclusion largely by independent arguments, as set out above."
17 The precise force of that opinion is limited to probable comital creation by William I. It does not independently establish that the dignity was hereditary, that it survived Edgar's later rebellion or that a modern petitioner inherited it.
18 Licence treated Oxford as a distinct and more qualified proposition. He stated that there was "no contemporary evidence that Edgar's earldom centred on Oxfordshire," while concluding that the weight of antiquarian testimony and the surrounding reasoning tended toward Oxford more than any other location.
19 That distinction supports the staged evidential structure adopted in Chapter 28: comital creation first; territorial identification second; hereditary character, survival and descent thereafter.
20 The Supplemental Petition was therefore required to do more than repeat the conclusion that Edgar was probably an earl. It addressed the designation Oxford, the nature of the dignity, possible hereditary descent, forfeiture or restoration and the relationship between the alleged creation and a modern peerage claim.
21 The petitioners' later procedural paper describes the 2024 Supplemental Petition as requesting that the sovereign consider declaring that William I created for Edgar an hereditary personal dignity in 1067.
22 That description records the petitioners requested conclusion. It is not an official finding that the dignity was hereditary, remains extant or was created in the precise form asserted.
23 The original and Supplemental Petitions assembled several categories of evidence: medieval narrative sources, political context, landholding evidence, heraldic and antiquarian attributions, legal commentary, expert opinion and pedigrees.
24 The First Edition manuscript expressly cites the Hallifax Family Petition, the Supplemental Petition and Licence's letter together as the modern evidential triad supporting the petitioners' Williamian creation case.
25 The same manuscript occasionally stated the petitioners' conclusions categorically. The Book replaces those categorical formulations with an evidential hierarchy: probable creation, qualified Oxford identification and unresolved survival.

26 The petitions' constitutional significance lies in their synthesis. Evidence previously dispersed among chronicles, heraldic manuscripts, printed histories, pedigrees and family records was arranged into one formal request.
27 The act of synthesis can reveal relationships among sources, but it can also create the appearance of corroboration where several citations depend upon one earlier authority. The Oxford proposition therefore requires a separate source-dependence audit.
28 The original petition established the petitioners' interest in the historical inquiry through documented ancestry. It did not establish collective ownership of the dignity.
29 An earldom could not be divided among the three petitioners. Their joint petitioning position concerned historical recovery and constitutional presentation rather than joint possession of an impartible title.
30 The petitioners' later paper expressly recognised the difficulty of proving the complete legal descent across nearly a thousand years and of demonstrating that one claimant was senior to every competing descendant.
31 That recognition reinforces the distinction between genealogical standing and legal entitlement. A person may have a verified descent from Edgar's collateral dynasty without possessing the senior consolidated right to an alleged dignity.
32 The petitions sought consideration by the Crown as the constitutional source of honours. The precise modern procedure for an alleged pre-patent dignity remained one of the unresolved matters exposed by the claim.
33 The petitioners' December 2025 paper distinguishes the routine proof of succession to an existing peerage under the modern Royal Warrant process from a novel request concerning the alleged first creation of an ancient dignity.
34 The proposition that a novel claim would require specialised constitutional or legal treatment appears in the petitioners' own later analysis. It should not be represented as a final official determination of jurisdiction.
35 The Supplemental Petition accompanied by Licence's opinion substantially strengthened the creation question because it added an independent specialist assessment to the petitioners' documentary case.
36 The expert letter also narrowed the evidential issue. Licence did not conclude that every aspect of the petition was proved. He concluded that Edgar was, on the balance of probabilities, created an earl by William I.
37 The phrase prima facie case in the Book describes an evidential threshold: the submitted material was sufficiently serious to justify further consideration. It is not a quotation from a judicial determination unless an official document expressly uses those words.
38 The later official correspondence referred to the "antecedent fact of the creation of the Earl of Oxford" as something that could form part of a claim to the peerage itself if the petitioners were minded to revive such a claim. The wording is reproduced in the petitioners' December 2025 paper.
39 The exact recorded sentence was:
40 "That is not to say that the antecedent fact of the creation of the Earl of Oxford could not form part of a claim to the peerage itself, if you were minded to revive such a claim."
41 That sentence preserves the possible relevance of the asserted antecedent creation to a peerage claim. It does not state that the creation has been proved or officially recognised.
42 The petitioners' later interpretation characterised the wording as a positive acknowledgment of historical plausibility and as separating creation from descent. That characterisation belongs to the petitioners' reasoning, not to the official sentence itself.
43 The same distinction applies to the expression in abeyance. The petitioners understood the May 2025 correspondence as placing the Supplemental Petition or its determination in procedural suspension.
44 Procedural suspensions do not prove that the alleged peerage itself is legally in abeyance among co-heirs. Chapter 31 develops that distinction.
45 The December 2025 paper identifies two relevant official communications: official correspondence dated 23 April 2025 and a government-department "Earldom of Oxford" email dated 1 May 2025.
46 The 2025 paper is a petitioners' interpretation of those communications. The original letters remain the primary sources for their exact wording, while the petitioners' paper records the analysis subsequently placed upon them.
47 The creation issue remained procedurally unresolved. The disclosed record states that official correspondence preserved the alleged antecedent creation as a matter capable of forming part of a peerage claim while leaving the creation question in abeyance.
48 The correspondence did not place Edgar's alleged dignity on the Roll of the Peerage.
49 It did not determine that Oxford was conclusively established.
50 It did not determine that the dignity descended in fee simple or to heirs general.
51 It did not determine that rebellion failed to produce forfeiture.
52 It did not identify a modern holder.
53 The official engagement should therefore be described as procedurally meaningful but substantively non-determinative.
54 The petitioning process clarified that the historical case could be divided into stages: original creation, territorial identification, hereditary character, legal survival and modern direction.
55 Chapters 12–24 adopt this structure, distinguishing probable creation from restoration, regrant, accommodation, forfeiture and descent.
56 That earlier analysis states that the invitation for a Supplemental Petition was a mechanism for examining territorial identity, hereditary character, forfeiture, restoration and descent, and was not a determination of those issues.

57 The staged structure permits a finding that Edgar was probably created or confirmed as an earl even if Oxford or modern survival cannot ultimately be proved.
58 It also prevents evidence of probable creation from being converted directly into present personal entitlement.
59 The original petition's historical and genealogical claims depend upon their underlying sources. A pedigree proposition must be supported by the underlying birth, marriage, death, probate, heraldic or other relevant records rather than by repetition in the petition.
60 The Hallifax family pedigree is particularly relevant to the petitioners' standing and to the wider case study of non-sovereign royal descent. It does not establish the title direction without a complete heirs-general audit.
61 The Oxford antiquarian tradition similarly requires examination of Robert Glover, Thomas Milles, William Martyn, David Hume and the dependence of later writers upon those authorities.
62 Licence's opinion acknowledged the antiquarian evidence while preserving its limitations. He considered it unlikely that the Oxford idea had arisen from nothing and allowed that earlier authorities may have consulted sources now lost.
63 That opinion supports consideration of the antiquarian tradition. It does not transform conjectured lost sources into extant evidence.
64 The petitioners requested relief evolved as the evidential difficulties became clearer. The later material moved toward separating a declaration of historical existence from the much more difficult determination of complete legal descent.
65 The December 2025 paper proposed a resolution centred upon declaring the existence of Edgar's title while recognising that full proof of the most senior modern descendant might be insurmountable.
66 That proposal is advocacy. Its constitutional availability and legal consequences remain matters for competent authority.
67 The Book adopts the underlying analytical distinction without assuming the requested remedy is available: historical creation may be considered independently from final allocation of the personal dignity.
68 The petitioners' work also created a modern documentary record of the claim. Even in the absence of recognition, the record now includes the original petition, the Supplemental Petition, Licence's expert opinion, official correspondence and the petitioners' later procedural analysis.
69 Documentary preservation is not identical to validation. The record permits later researchers and constitutional authorities to test the evidence rather than relying upon oral family tradition or uncited assertion.
70 The petitioners' December 2025 paper openly labels its central propositions as the petitioners' "understandings" and "reasoning." That language confirms that its interpretations are not themselves official rulings.
71 The same paper's interpretations concerning government responsibility, constitutional novelty and political sensitivity are attributable to the petitioners rather than established reasons supplied by the Crown.
72 The evidence supports a measured conclusion: the petitions formalised the claim, the expert opinion materially strengthened probable creation, official correspondence preserved the antecedent-creation issue as potentially relevant to a revived claim, and no final determination followed.
73 The petitions do not create an earldom.
74 They do not prove that William's grant was hereditary.
75 They do not resolve whether Oxford was its exact designation.
76 They do not establish continuous survival.
77 They do not vest the dignity in any petitioner.
78 Their constitutional achievement was to present the historical case in formal documentary form and obtain official engagement sufficient to leave the central creation question open.
79 The original petition and the 2024 Supplemental Petition are advocacy and procedural sources; official correspondence preserved the alleged antecedent creation as a matter capable of forming part of a peerage claim; and creation, survival and direction remained undetermined.

This page is intentionally left blank.

CHAPTER 29
Professor Tom Licence's Opinion

The historical case for Edgar Ætheling's probable comital creation does not rest upon expert opinion alone. It arises from the cumulative force of Edgar's constitutional status, his submission to William I, the political need to accommodate a rival royal figure, the provision of substantial lands, medieval references to comital rank and the later historical tradition associating him with Oxford.

Professor Tom Licence's opinion is important because it addresses the central historical question from outside the petitioners' own reasoning. It provides an independent medieval historian's assessment that Edgar was probably made an earl following his submission to William.[1,2,3,4,5]

That conclusion does not prove the territorial designation. It does not establish hereditary limitation, survival or present entitlement. Its value lies in supporting the probability that William incorporated Edgar into the new political order through comital rank. The opinion must therefore be used precisely. It strengthens one stage of the argument. It does not determine the whole claim.

The role of expert historical opinion

Expert opinion becomes especially valuable where the surviving evidence is incomplete, indirect or distributed across several kinds of source.[6] An expert historian does not possess authority to create facts absent from the record. The function of the historian is interpretative. Sources are assessed in context, language is compared, political conduct is reconstructed and competing explanations are weighed.
The question whether Edgar was made an earl is well suited to such analysis.

No surviving patent states the terms of creation. The political settlement must instead be reconstructed from narrative evidence, royal conduct, landholding, later descriptions of status and the wider methods by which William dealt with defeated or submitted elites.[7,8,9,10,11]
An opinion grounded in specialist knowledge can assist by identifying which explanation best fits the historical circumstances. It remains an opinion rather than an adjudication.

The weight given to it depends upon the expert's qualifications, the material considered, the question asked, the reasoning supplied and the degree to which the conclusion accords with independent evidence.

Professor Licence's scholarly position

Professor Tom Licence is a historian of medieval England whose work has engaged directly with Edgar Ætheling, the Norman Conquest and the political world in which Edgar operated.[12] His relevance to the petition was not based merely upon academic title. He possessed subject-specific expertise concerning the person and period at the centre of the claim.

That distinction matters. A scholar may be eminent in medieval history generally while lacking particular familiarity with Edgar's sources. Professor Licence's work addressed Edgar's life and the evidential difficulties surrounding it. His opinion therefore arose from sustained engagement with the subject rather than a superficial reading prepared solely for the petition. His assessment belongs within modern historical scholarship, not within heraldic advocacy or family tradition.

This independence gives the opinion particular value.

The question placed before the historian

The useful question was not whether Edgar was conclusively Earl of Oxford in the form later asserted. That would have combined several unresolved propositions:

1. whether Edgar possessed comital rank;
2. whether William created or confirmed it;
3. whether Oxford was the territorial designation;
4. whether the dignity was hereditary;
5. whether it survived;
6. and whether it descended to a modern claimant.

A responsible expert assessment required those questions to be separated.
Professor Licence's opinion was materially directed toward the probability that Edgar was made an earl after submitting to William.[13,14,15,16]

That question could be addressed through the historical evidence without requiring a determination of the later title tradition or the modern peerage claim.

The narrower framing increased the reliability of the conclusion. It allowed the expert to assess the political settlement itself.

Edgar's exceptional constitutional status

Any analysis of William's treatment of Edgar must begin with Edgar's identity.
He was not merely one defeated noble among many. He was the surviving male representative of the royal house of Wessex, had been constituted king by the English leadership after Hastings and remained a possible focus for resistance.[17,18,19,20,21,22]

William's conquest required more than military victory. It required the removal, submission or incorporation of competing political authorities.

Edgar's surrender was therefore constitutionally important.[23]

A rival royal figure could not be treated casually. Excessive severity risked martyring him and encouraging opposition. Excessive independence risked allowing him to remain an alternative king. Incorporation into the Norman political order offered a middle course.

Comital rank was an intelligible means of accommodation.

It preserved honour while subordinating Edgar to William. It recognised status without conceding sovereignty. It could also bind Edgar through landholding and obligation to the new king.

Professor Licence's conclusion that Edgar was probably made an earl fits this political logic.

William's methods of accommodation

William's government did not rely exclusively upon dispossession and replacement.
The Conquest involved confiscation on an enormous scale, but accommodation also formed part of the settlement. English ecclesiastics, landholders and political figures could retain or recover position where submission and utility justified it.[24]

The precise balance varied over time and was affected by rebellion.

Edgar's treatment appears to have combined honour, supervision, land and mobility within William's realm. He was taken to Normandy, remained visible at court and later participated in rebellion before receiving further reconciliation.

Such conduct suggests that William regarded him as both dangerous and usable.
The creation or confirmation of comital rank would accord with that approach. It would neither restore Edgar's kingship nor reduce him to ordinary dependency.

The expert opinion gains force from this consistency with Williamian statecraft.[25,26]

Land and status

The provision of substantial lands to Edgar forms part of the historical case.[27,28,29,30,31,32]
Landholding alone does not prove an earldom. Many tenants held large estates without comital rank, while an earl's dignity could remain legally distinct from the lands supporting it.

Yet land and status were closely related in the political settlement of the eleventh century.
A comital position without resources would have little practical value. Conversely, a major grant to a former royal claimant may reflect an attempt to provide the material basis for an honourable but subordinate status.

The evidence must therefore be read cumulatively.

Edgar's landholding does not create the title. His constitutional position, the political need for accommodation and later descriptions of comital rank give the land a more significant context.
Professor Licence's assessment did not depend upon one estate or one record. It reflected the overall pattern.

Medieval testimony to comital rank

Later discussion of Oxford must not obscure the more basic evidence that Edgar was described as an earl.

Where medieval sources apply comital language to him, the central historical question becomes whether that status arose before, during or after his submission to William.
No secure evidence presently demonstrates that Edward the Confessor created Edgar an earl.
A Haroldian creation is politically plausible. Harold may have had reason to honour the young Wessex prince and bind him to the regime. The later Hume tradition expressly preserves a version in which Harold granted Oxford and William confirmed it.[33,34,35,36]

The absence of contemporary proof prevents that model from becoming the leading conclusion.

A Williamian creation or confirmation remains better supported because it fits the known political settlement after Edgar's submission and the broader evidence that he was thereafter treated as a high-ranking figure within the Norman order.
Professor Licence's opinion materially supports that interpretation.[37,38,39,40,41]

Creation or confirmation

The distinction between creation and confirmation must remain open.[42,43] If Harold had already conferred comital rank upon Edgar, William may have confirmed or reconstituted that status after submission.[44] If no prior dignity existed, William may have created it.

The surviving evidence does not conclusively identify which model occurred.

The phrase "created or confirmed" therefore reflects the state of proof more accurately than an absolute declaration of first creation.[45] This qualification is not a weakness. It preserves the two historically possible routes while identifying William's settlement as the decisive point at which the rank became incorporated into the Norman order.

Professor Licence's opinion supports the probability of the result without requiring certainty about the preceding legal history.

The significance of probability

Historical conclusions frequently depend upon probability rather than direct documentary proof.

A probability finding does not mean that the proposition is merely imaginable. It means that, after weighing the available evidence and competing explanations, one account is more persuasive than the alternatives.

The Edgar case contains several possible models:

1. Edgar never possessed comital rank, and later references are mistaken;
2. Harold created him an earl, and William confirmed the dignity;
3. William created him an earl after submission;
4. comital language reflected courtesy or status without formal creation;
5. or the rank arose in some later and now obscure context.

Professor Licence's assessment favours the Williamian settlement model.
That conclusion must be integrated with the independent evidence rather than used as a substitute for it.

The opinion is strongest when it confirms a pattern already visible in the sources. It would be weaker if it stood alone against the historical record.

Independence from the petitioners

The opinion's importance is increased by its independence.

The petitioners had an interest in advancing the historical case. Their research may be careful and their sources authentic, but their procedural role requires their conclusions to be tested. An independent historian does not share the same personal or genealogical interest in the outcome. Professor Licence's opinion therefore supplies an external assessment of one of the petition's central propositions.

Independence does not make an expert infallible. Scholars can disagree, revise conclusions or interpret ambiguous evidence differently.

It does mean that the probability of comital creation was not derived solely from the petitioners' advocacy.[46]

That distinction was material to the prima facie evidential threshold.

The opinion and the Oxford designation

Professor Licence's assessment of probable comital rank should not be expanded into a definitive endorsement of Oxford unless his words expressly support that conclusion.
The evidence for Oxford is different in character.

It depends principally upon the early-modern tradition associated with Glover, Milles, Martyn and Hume, together with geographical and political considerations.

The expert conclusion that Edgar was probably made an earl materially strengthens the possibility that the later Oxford tradition preserves a real dignity rather than inventing rank altogether.

It does not, by itself, identify which earldom Edgar held.[47]

This distinction is essential to the evidential hierarchy of the book:

1. the case that Edgar possessed comital rank is stronger;
2. the case that William created or confirmed that rank is probable;
3. the identification of Oxford is leading but qualified;
4. and the case for continuing survival is more uncertain.

Expert opinion supports the second proposition most directly.[48]

The opinion and Great Chesterford

The Great Chesterford entry has sometimes been drawn into the question of Edgar's comital status.
Its interpretation remains disputed.

The reference may concern Edgar Ætheling or another earl, and the Domesday structure records selected reference points rather than a continuous narrative of ownership from 1066 to 1086.[49,50]

Even if the Earl Edgar at Great Chesterford was Edgar Ætheling, the entry would not establish when or by whom the rank was conferred.[51,52,53,54,55,56,57]

It may use a title acquired later when identifying a person associated with an earlier holding. That possibility remains unproved.

Professor Licence's opinion does not require Great Chesterford to carry the creation argument.[58]
This is methodologically important. The Williamian creation case should not depend upon a disputed identification when broader political and narrative evidence supports the conclusion independently.

Great Chesterford may contribute to the evidential field. It is not the foundation of the expert assessment.

The opinion and later rebellion

A probable creation does not establish uninterrupted possession.

Edgar's subsequent rebellions created opportunities for forfeiture, dispossession or alteration of status. Later reconciliation created possibilities of restoration, regrant or political accommodation.[59]

Professor Licence's opinion concerning initial comital creation does not determine those later events unless expressly extended to them.[60]

The title may have existed and later been lost.[61,62,63]

This distinction prevents the expert assessment from being used to prove more than it addresses.

The opinion supports the historical beginning of the dignity. The later survival inquiry remains dependent upon separate evidence.

The opinion and hereditary character

Likewise, an opinion that Edgar was probably made an earl does not determine the limitation of the dignity.[64]

The rank may have been hereditary, personal, territorial or subject to terms no longer recoverable.

The wider historical model supports a presumptive hereditary dignity in the absence of evidence for a life-only or male-only restriction. That conclusion arises from legal and institutional analysis beyond the creation opinion itself.[65]

Professor Licence's assessment contributes to the existence of the honour, not the exact terms of descent.[66]

This distinction matters because the petition's later genealogical case depends upon heirs-general transmission.

The expert opinion cannot carry that legal conclusion by implication.

The opinion within the prima facie case

The prima facie threshold emerged from the assembled evidence rather than from one document.

Professor Licence's opinion was nevertheless an important element.[67,68,69,70,71]

The petitioners had gathered historical sources, political context and later traditions. An independent specialist then assessed the probability of comital creation.
This combination made the creation case materially stronger than an unsupported antiquarian claim.[72]

The constitutional significance of the opinion lay in helping establish that the alleged Williamian creation deserved further examination.

It did not oblige the receiving authority to accept the claim. It made summary dismissal less appropriate.

The invitation to submit supplemental material reflected that intermediate position.

Expert opinion and missing instruments

Where the original constitutive instrument is absent, expert opinion can assist in reconstructing what the surviving conduct most probably signifies.

It cannot replace the instrument word for word.

Professor Licence could assess whether William's treatment of Edgar was consistent with elevation to comital rank. He could consider the language of medieval sources and the political logic of the settlement.

He could not recover an unknown territorial limitation, remainder or formal wording.[73]
The distinction reflects the broader principle governing proof of ancient dignities.
Other evidence may establish a creation where a patent is missing. The strength of that proof depends upon convergence among sources and circumstances.

Expert opinion is one form of that other evidence, but it is most persuasive when it explains primary and near-primary material rather than merely endorsing a later tradition.

Competing scholarly views

A responsible historical assessment must allow for disagreement.

The absence of a surviving instrument and the ambiguity of some sources mean that another historian might place greater weight upon the possibility of informal courtesy, later confusion or mistaken identification.

The conventional modern narrative has rarely centred Edgar's comital status. Some scholars may regard the evidence as insufficient to move beyond uncertainty.

The existence of disagreement would not invalidate Professor Licence's opinion. It would require the reasoning of each position to be compared.

The appropriate question is not which scholar possesses greater prestige. It is which interpretation best accounts for the complete evidence with the fewest unsupported assumptions.

The current study finds the Williamian creation or confirmation model more persuasive than the alternatives, while acknowledging that the conclusion remains probabilistic.[74,75,76]

The danger of converting opinion into authority

Expert opinion can be overstated when quoted without context. A sentence such as "Edgar was probably made an earl" may be transformed in advocacy into "Edgar was Earl of Oxford by established fact." That movement is not justified. The word "probably" carries substantive meaning. The reference to an earldom does not necessarily supply Oxford.[77] The opinion does not establish survival.

The integrity of the case depends upon preserving those limits.

An expert's caution is not an obstacle to be removed. It defines the strength of the conclusion.
The most persuasive use of Professor Licence's opinion is therefore exact and restrained:[78]
An independent specialist historian considered it probable that Edgar was made an earl following his submission to William.[79]

That statement materially supports the historical case without inflating it.

The relationship between expertise and constitutional decision

A historian can assess the past. Constitutional authorities determine recognition and legal consequence. Professor Licence's opinion may inform whether a creation probably occurred. It cannot place the dignity on the Roll of the Peerage or identify the lawful holder.[80]

Those acts require constitutional authority and legal process.[81,82]

The separation is especially important where historical and legal questions overlap.

A historian may conclude that William probably intended hereditary comital incorporation. A legal authority must determine what effect that intention has under the law of dignities.[83]

A genealogist may trace a descent. A constitutional process must decide whether the hereditary right followed that line.

Expertise contributes to adjudication. It does not replace it.

The opinion and historical recognition

Even if present legal survival cannot be proved, Professor Licence's conclusion remains historically significant. It supports a reinterpretation of Edgar's post-Conquest position. He was not merely a failed king tolerated by William. He was probably incorporated into the new order at comital rank.

That conclusion changes the political meaning of his submission.

It suggests that William responded to Edgar's royal identity through structured accommodation rather than simple pardon. It also explains why later sources remembered Edgar as an earl and why an Oxford title tradition could arise.

Historical recognition of that settlement would remain valuable even if the dignity later became extinct.[84,85]

The opinion and the companion argument

The broader dynastic interpretation developed across this book and its companion study depends upon distinguishing political defeat from complete constitutional erasure. Edgar's kingship was overcome, but his dynastic status remained powerful enough to require accommodation.

His probable comital creation is one expression of that continued significance.

The later survival of Wessex descent through Margaret and David I provides another.[86]

Professor Licence's opinion therefore contributes to a larger historical understanding. William did not simply remove Edgar from history. He appears to have placed him within the new hierarchy while controlling the political danger he represented.

That accommodation forms a bridge between conquest and dynastic continuity.

Evidential summary

Professor Licence's opinion supports the following propositions:

1. Edgar's post-submission treatment should be understood within the politics of high-level accommodation;
2. it is probable that he was made an earl;
3. the Williamian settlement is the leading context for that rank;
4. the absence of a surviving patent does not prevent a probability finding; [87]
5. and the historical creation case is sufficiently serious to warrant constitutional examination.

The opinion does not independently establish:

1. that the territorial designation was Oxford;
2. that Harold first created the dignity;
3. that William merely confirmed rather than created it;
4. that the dignity descended in fee simple;
5. that it survived rebellion or forfeiture;
6. that it passed through Margaret;
7. or that any modern person holds it. [88]

These limits are not incidental. They define the opinion's proper evidential role.[89]

Chapter conclusion

Professor Tom Licence's opinion provides the most important independent scholarly support for the proposition that Edgar Ætheling was made an earl after submitting to William I.[90]
Its force derives from subject-specific expertise, independence from the petitioners and consistency with the wider political evidence.

Edgar was a constituted king and rival dynast whose submission required more than ordinary treatment. William's need to neutralise and incorporate him, the provision of substantial lands, medieval references to comital rank and Edgar's later position within the Anglo-Norman world support the probability of a comital settlement.[91,92,93,94,95,96,97,98,99,100]

The opinion does not prove Oxford. It does not establish hereditary limitation, survival or modern entitlement. It supports the historical existence of comital rank and the probability of Williamian creation or confirmation.[101,102,103,104,105]
Used within those limits, it materially strengthens the case.[106]

Professor Licence's assessment does not convert the petition into proof. It confirms that the central creation proposition is a credible historical conclusion supported by independent specialist judgment: Edgar was probably made an earl as part of William I's settlement with the last male dynast of Wessex.

That conclusion helped carry the case across the prima facie threshold.

The next question is how such a probability should be assessed within a constitutional process. That inquiry leads to the burden of proof and the modern authority of *In re Pringle of Stichill*.

Chapter 29 endnotes

1 Professor Tom Licence, Letter of Expert Opinion, 12 September 2024, addressed to John L. R. Guest and prepared at the request of the petitioners. The letter identifies Licence as Professor of Medieval History at the University of East Anglia and Senior Research Fellow of Magdalene College, Cambridge.
2 Licence's stated academic qualifications in the letter are MA, MPhil, PhD, FHEA, FRHistS and FSA. Those qualifications establish his scholarly standing but do not make his conclusions legally binding.
3 The specific proposition placed before Licence was the petitioners' statement in paragraph A140 that "Edgar the Ætheling was created an Earl by William I."
4 Licence expressly distinguished his analysis from mere endorsement of the petitioners' case, stating that he would present "additional evidence, and an argument of my own."
5 The opinion is therefore independent in reasoning, although it was commissioned at the petitioners' request and addressed the proposition they supplied.
6 Expert historical opinion interprets surviving evidence and assesses probability. It does not replace a lost charter, determine the exact terms of a dignity or exercise the constitutional authority required to recognise a peerage.
7 Licence began with the Carmen de Hastingae Proelio, which he described as having been written in 1067 or 1068 by Bishop Guy of Amiens.
8 Licence cited the Carmen for William's reported pre-Hastings offer to Harold: William would grant Harold the lands formerly held by Harold's father if Harold renounced the throne and recognised William as king.
9 The Latin expression cited by Licence is terram quam pridem tenuit pater, taken from the edition he attributed to Frank Barlow at page 16.
10 Licence interpreted "the lands his father had held" as a reference to the Earldom of Wessex formerly held by Earl Godwine.
11 The argument drawn from that passage is analogical rather than documentary. It shows that William was represented by a near-contemporary author as willing to exchange comital landed provision for renunciation of a royal claim. It does not record the terms later offered to Edgar.
12 Licence described Guy of Amiens as a well-informed observer, chaplain to William's queen and a writer working within a year or two of the Conquest.
13 The opinion's reasoning proceeds from the Harold analogy to Edgar: William later faced another recognised king whose renunciation and submission were necessary to secure the kingdom.
14 Licence stated that the petitioners were "entirely correct" that the English had established Edgar upon the throne in October or November 1066.
15 In support, Licence cited the Carmen for Edgar's election, using the Latin electus.
16 Licence also cited the expression in regem sacrent, which he rendered as indicating that Edgar was crowned.
17 The ceremonial implication remains uncertain. The wording supports election and an intended or possible consecration, but no secure independent evidence proves that a completed coronation, anointing or enthronement occurred.
18 Licence further cited the Carmen phrase sparsit fama volens quod habet Lundoniam regem, indicating that news spread that London had a king.
19 Licence stated that William of Poitiers used the Carmen as a source for the Gesta Guillelmi in the 1070s.
20 That possible textual dependence means the Carmen and William of Poitiers cannot automatically be counted as wholly independent witnesses to Edgar's kingship.
21 Licence cited William of Poitiers's expression regem statuerant, rendered as the English having "instated King Edgar Ætheling." He gave page 147 in the Davis and Chibnall edition.
22 Licence's third source for Edgar's royal position was the E-text of the Anglo-Saxon Chronicle, annal for 1066, recording that the monks of Peterborough sent their abbot-elect Brand to Edgar for royal confirmation.
23 The Brand evidence is especially important because it records an institutional act performed under Edgar's authority rather than merely a narrative description of his selection.
24 Licence then reconstructed William's post-Hastings movement toward London and the negotiations that resulted in the submission of the leading English figures and Edgar's renunciation of kingship.
25 The opinion attributes evidence of those negotiations to the Carmen and the Gesta Guillelmi.
26 Licence characterised William as preferring negotiation to the bloodshed and difficulty of besieging London during winter.
27 That conclusion is historical interpretation grounded in the strategic context. No surviving treaty records the exact inducements offered to Edgar or the obligations accepted by the English leadership.
28 Licence acknowledged that the Carmen says nothing about the inducements William offered Edgar.
29 The most important near-contemporary evidence for Edgar's material settlement is William of Poitiers's statement that William endowed Edgar with "sizeable lands."
30 Licence cited the Latin phrase amplis terris ditavit from page 162 of the Gesta Guillelmi.
31 Licence explained amplus as capable of conveying "extensive," "important" or "honourable," and dito as meaning "enriched."
32 The phrase establishes substantial landed provision. It does not expressly name an earldom, identify Oxford or state a hereditary limitation.
33 Licence's central inference was that William would probably have offered Edgar an inducement comparable in dignity to the earldom reportedly offered to Harold in exchange for renunciation of the Crown.

34 Licence stated that it was "highly likely" that William offered Edgar a similar inducement and that he considered it unlikely William would have offered "anything less than an earldom."
35 The reasons Licence gave were Edgar's royal title, the support Edgar enjoyed and William's desire to avoid the alternative of besieging London in winter.
36 The argument does not assert that every grant of substantial lands created an earldom. It treats the scale of the grant together with Edgar's surrendered kingship and the Harold analogy.
37 Licence returned to the phrase "sizeable lands" as reinforcement of the comital interpretation.
38 He observed that continental writers could conceive of an English earldom through its associated lands rather than by express reference to office or title.
39 Licence therefore did not regard William of Poitiers's failure to use an express title formula as fatal to the comital inference.
40 That interpretation supports probable comital rank but cannot recover the wording or legal limitation of the lost settlement.
41 Licence also observed that William allowed existing earls to retain their titles and the lands attached to their offices.
42 Licence considered that policy compatible either with William confirming Edgar in an existing comital role or granting him a new comital title as recompense for relinquishing royal office.
43 The distinction between creation and confirmation therefore remains open. A possible Haroldian grant would make William's act confirmatory rather than the first creation of comital rank.
44 Licence's principal chronological finding was that William offered Edgar an earldom in 1066 and made him earl either at the end of 1066 or early in 1067.
45 The formulation—created or confirmed as an earl in late 1066 or early 1067—preserves Licence's conclusion while leaving the Haroldian alternative open.
46 Licence then considered the Domesday evidence separately from the creation argument.
47 He stated that, if Edgar received an earldom in 1066 or 1067, the dignity would have fallen forfeit through Edgar's rebellion in 1068 or 1069.
48 That is Licence's historical opinion concerning probable forfeiture. This book treats permanent legal extinction more cautiously because later reconciliation may raise questions of restoration, regrant or renewed accommodation.
49 Licence explained that Domesday Book records landholding at two principal reference points: the time of King Edward and the situation in 1086 when the survey was compiled.
50 He therefore considered it unsurprising that a man who received an earldom in 1066 and lost it around 1068 would not appear as an earl in Domesday Book.
51 Licence addressed the landholder called Comes Edgarus at Great Chesterford, Essex.
52 He stated that modern experts regard the Great Chesterford figure as Ælfgar rather than Edgar Ætheling.
53 Licence specifically identified Stephen Baxter and Chris Lewis, editors of the Domesday PASE database, as supporting the Ælfgar identification.
54 He regarded that modern prosopographical work as better grounded than much earlier interpretation.
55 Licence concluded that Edgar's appearance as an earl in Domesday Book was unnecessary to the credibility of the petition.
56 He considered non-appearance more likely if Edgar's earldom had already been forfeited before the Domesday reference points.
57 Licence added that, were the Great Chesterford entry nevertheless shown to concern Edgar Ætheling, it would clinch the case independently of his main argument.
58 The Book accordingly treats Great Chesterford as disputed and unnecessary to the Williamian creation conclusion.
59 Licence next considered the sixteenth- and seventeenth-century authorities who believed Edgar had been created Earl of Oxford.
60 He stated that their opinion merited consideration because it was unlikely that the idea had arisen entirely from nothing.
61 He also allowed that those authorities may have consulted sources subsequently lost.
62 This observation supports examination of the antiquarian tradition. It does not prove the existence or contents of a lost source.
63 The possibility of lost evidence must be distinguished from proof. A later attribution cannot be converted into contemporary testimony merely by hypothesising a lost document.
64 Licence referred to Stephen Baxter's study of the earls of Mercia and the uncertainty surrounding the holder of comital office in Oxfordshire after the death of Earl Ralph in 1057.
65 He noted writ evidence that Harold's brother Gyrth held comital office there in 1065, before dying at Hastings on 14 October 1066.
66 Licence treated Gyrth's death as creating a possible vacancy in Oxfordshire, subject to the uncertainty surrounding the exact structure of that office.
67 He further noted that the previous incumbent, Earl Ralph, had been a nephew of Edward the Confessor.
68 Licence suggested that the earlier placement of Edward's nephew in Oxfordshire may have influenced the possible placement of Edgar, Edward's great-nephew.
69 That reasoning is contextual and comparative. It does not establish an Oxford grant directly.
70 Licence expressly stated: "There is no contemporary evidence that Edgar's earldom centred on Oxfordshire."

71 That sentence is one of the most important limitations within the opinion and must remain visible wherever the Oxford proposition is advanced.
72 Licence nevertheless concluded that the weight of antiquarian testimony, combined with his historical reasoning, tended more toward Oxfordshire than toward any competing location.
73 The opinion therefore supports Oxford as the leading territorial identification, not as a conclusively documented contemporary title.
74 Licence's final conclusion states:
75 "In conclusion, I find in favour of the petitioners' statement that, on balance of probabilities, Edgar the Ætheling was created an Earl by William I, though I arrive at that conclusion largely by independent arguments, as set out above."
76 The exact conclusion concerns creation as an earl by William I. It does not include a finding that the title was hereditary, extant or vested in a modern claimant.
77 It also does not state categorically in the concluding sentence that the earldom was Oxford. The Oxford assessment appears separately and expressly acknowledges the absence of contemporary evidence.
78 The opinion's independence is therefore both substantive and limited. Licence developed his own argument for comital creation while commenting separately upon evidence supplied by the petitioners.
79 The expert assessment supports the prima facie threshold because it demonstrates that probable creation is not dependent solely upon the petitioners' genealogical interest or upon the later Oxford tradition.
80 The opinion is an historical assessment, not a Crown determination, peerage judgment or entry upon the Roll of the Peerage.
81 The constitutional authority responsible for recognition remains free to accept, reject or qualify the historian's conclusion after considering the complete evidence.
82 A court, committee or constitutional adviser would also be required to distinguish historical inference from legal consequence.
83 Licence's opinion does not determine the original limitation of the dignity. No surviving clause is identified granting the honour to Edgar and his heirs, heirs male or heirs of the body.
84 It does not establish that the dignity survived the rebellion of 1068 or 1069.
85 It does not determine whether later reconciliation restored or replaced the dignity.
86 It does not trace collateral descent through Christina or Margaret.
87 It does not establish merger in the Crown or abeyance among co-heirs.
88 It does not identify John Lindsay Robert Guest, Darren John Halifax , Dennis Keith Lillee or any other modern person as holder.
89 Those limitations define the opinion's proper role within this book.
90 The same evidential hierarchy applies: Professor Licence independently supports probable comital creation, while Oxford remains a separate and qualified question and present survival remains unresolved.
91 The recovered authoritative manuscript likewise summarises Licence's reasoning through Edgar's kingship, William's need for submission, the Harold analogy, substantial lands and medieval comital terminology.
92 That manuscript correctly warns against double counting. The Carmen, William of Poitiers, later antiquarian writers and modern summaries must be assessed for dependence rather than simply counted as separate confirmations.
93 The Book's formulation is slightly broader than Licence's final sentence in one respect: it says William "created or confirmed" Edgar as an earl. This preserves the possibility, acknowledged within the historical tradition, that Edgar may already have held comital rank under Harold.
94 The formulation is narrower in another respect: it does not adopt Licence's strong reading of in regem sacrent as proof that Edgar completed coronation.
95 Those adjustments do not reject the expert opinion. They integrate it within the complete evidential record and distinguish conclusions carrying different levels of confidence.
96 Licence's argument is strongest as an explanation of William's political settlement. Edgar had been recognised as king, commanded meaningful support, occupied London with the leading English figures and had to renounce a royal title before William's own kingship could become secure.
97 Comital incorporation offered a historically coherent means of converting that displaced king into an honourable but subordinate magnate.
98 The landed grant recorded by William of Poitiers supplies the material foundation for that inference.
99 The analogy with William's reported offer to Harold supplies the political comparison.
100 The medieval descriptions of Edgar's royal position supply the scale of the problem William was resolving.
101 The antiquarian Oxford testimony supplies a possible territorial identity, but not the primary proof that comital rank existed.
102 The cumulative evidential conclusion is therefore stronger than any isolated component.
103 Professor Licence's letter is the primary source for his specific wording, conclusions and interpretation of the evidence; later summaries do not replace the original document.
104 The final proposition of Chapter 29 is fully supported by the expert opinion letter:
105 An independent specialist historian concluded that, on the balance of probabilities, William I made Edgar an earl at the end of 1066 or early in 1067, while acknowledging that no contemporary evidence identifies Oxfordshire conclusively as the centre of the dignity.
106 The opinion materially strengthens the historical creation case. It does not complete the legal case for title identity, hereditary survival or present entitlement.

CHAPTER 30
Burden of Proof and *Pringle*

The historical reconstruction developed in this book reaches a point at which probability must be distinguished from possibility, and proof from assertion.

The absence of a surviving Williamian instrument does not end the inquiry. Neither does it permit the missing instrument to be reconstructed according to preference. The case must be tested through the evidence that survives: Edgar's constitutional status, the political settlement after submission, medieval descriptions of comital rank, later historical traditions, expert opinion, genealogical direction and the constitutional treatment of ancient hereditary claims.

The appropriate standard is not proof beyond all conceivable doubt. Historical and hereditary questions frequently arise from incomplete records, lost instruments and events remote from living memory. The relevant task is to determine whether the asserted proposition is more likely than not when the evidence is considered as a whole.

That formulation corresponds to the civil standard commonly described as the balance of probabilities.

The modern authority most directly relevant to the treatment of an hereditary title claim is *In the Matter of the Baronetcy of Pringle of Stichill* [2016] UKPC 16. The decision did not concern Edgar, an earldom, an eleventh-century creation or heirs general. It arose under Scots law and concerned succession to a baronetcy limited to the male heirs of the first baronet's body. Its value lies in demonstrating how constitutional authority may determine hereditary status through the best available evidence, even where long-established public assumptions are later shown to be wrong. [1]

The constitutional setting of *Pringle*

The Pringle baronetcy was created in 1683 by Charles II in favour of Robert Pringle of Stichill and the male heirs of his body. The dispute arose after DNA evidence indicated that a person long accepted as the ninth baronet was not biologically descended in the required male line from the eighth baronet.

The consequence was substantial. If the evidence was accepted, the title had passed through the wrong branch for several generations. The person publicly treated as the successor was not the person legally entitled under the limitation.

The Judicial Committee of the Privy Council was asked to advise the sovereign as to the person who should be entered upon the Official Roll of the Baronetage.[2,3]

The case therefore concerned more than a private disagreement over family history. It involved the official constitutional recognition of an hereditary dignity and the correction of an established succession.

The Board concluded that there was no legal ground for excluding the DNA evidence. That evidence established that the title should not have passed to the ninth baronet but instead through the claimant's branch, making Murray Pringle the proper heir male. It also concluded that the passage of time and the earlier failure to claim did not extinguish or bar the hereditary right. [4,5,6]

The decision demonstrates that public usage and long acceptance do not necessarily determine hereditary entitlement where stronger evidence proves a different descent.[7]

The balance of probabilities

The balance of probabilities asks whether a proposition is more likely to be true than not true.[8] It does not require mathematical certainty. Nor does it mean that every possibility on either side is equally persuasive until an original document appears.

The quality and weight of evidence matter.[9,10]

A proposition supported by several independent and mutually consistent sources may satisfy the standard even though gaps remain. A proposition repeated by numerous writers may fail if all depend upon one unreliable source. A plausible theory may remain unproved where equally plausible alternatives are not displaced.[11]

The standard is therefore qualitative as well as comparative.

In Edgar's case, the question of comital creation is not whether such a settlement could have occurred. It plainly could. The question is whether it more probably occurred than did not occur.[12]

The evidence must be placed against competing explanations:

- Was Edgar treated merely as a pardoned royal dependent?
- Was later comital language no more than courtesy?
- Did Harold create a dignity before Hastings?
- Did William create or confirm the rank after submission?
- Did later writers mistakenly attach Oxford to a man who possessed no formal earldom?

The balance must be reached after those alternatives are considered, not before.

Probability and historical distance

The remoteness of an event does not alter the logical meaning of the standard. It affects the evidence available to satisfy it.

An eleventh-century question is unlikely to be proved through the same documentary sequence expected in a modern transaction. The absence of standardised letters patent, enrolment practices and complete administrative archives means that royal conduct, narrative testimony and later preservation of earlier traditions may assume greater importance.

That does not create a lower standard of truth. It changes the kinds of evidence through which probability may be established.

The investigator must be alert to both survival bias and evidential inflation.
Documents that survived may not represent the full administrative record. At the same time, their rarity must not cause every later reference to be treated as an echo of a lost authentic instrument.

Historical distance requires disciplined inference.

It does not justify either automatic rejection or automatic acceptance.

The proposition to be proved

- The Edgar case contains several propositions, each carrying its own burden.[13]
- The first is that Edgar was constituted King of the English after Hastings.[14]
- The second is that William I created or confirmed him as an earl following submission.[15]
- The third is that Oxford was the territorial identification of that dignity.[16]
- The fourth is that the dignity was hereditary and descendible to heirs general.[17]
- The fifth is that it survived, was restored or otherwise remained legally capable of descent.[18]
- The sixth is that the hereditary right passed through a particular collateral line.[19]
- The seventh is that the right ultimately consolidated in a modern person or in the Crown.[20]

These propositions should not be merged into one burden.

The evidence sufficient to establish probable comital creation may be insufficient to establish Oxford. The evidence sufficient to establish Oxford as the leading identification may be insufficient to establish uninterrupted survival. A verified genealogy may establish descent from Margaret without identifying the lawful holder of an impartible dignity.

A staged burden is therefore essential.

Who bears the burden

The burden lies upon the person asserting the proposition.[21,22] The petitioners cannot require constitutional authority to disprove the dignity. They must present evidence sufficient to establish the historical creation and any legal consequences they ask to have recognised.

This principle applies even where the original instrument is lost.[23,24]

The absence of contrary evidence does not automatically prove the claim. The petitioners must show why the surviving evidence positively supports their account.[25]

The burden may shift in an evidential sense once a prima facie case is established. A respondent or decision-maker considering an alternative explanation must engage with the evidence that produced that threshold.[26] Yet the ultimate burden of establishing the claimed historical or hereditary right remains with those asserting it.

That distinction explains the significance of the invitation to submit a Supplemental Petition.[27]

The assembled material was sufficient to justify further inquiry. It had not yet established every later proposition required for recognition or entitlement.

Prima facie proof and final proof

A prima facie case is sufficient to warrant examination. It is not sufficient merely because it has survived initial scrutiny. The prima facie threshold asks whether the evidence, taken at face value and without yet resolving every conflict, supports a serious case.

Final proof asks whether the proposition remains more likely than not after the evidence has been tested, qualifications incorporated and competing explanations considered.[28]

In Edgar's case, the prima facie gateway concerned the probability of a Williamian comital creation or confirmation.[29]

The Oxford designation, hereditary limitation, survival and descent required additional evidence. This division is constitutionally sensible.

An ancient claim should not be rejected merely because the claimant cannot prove the entire history in the first submission. Equally, the grant of further consideration should not be misrepresented as recognition.

The procedural threshold preserves inquiry without prejudging outcome.

Pringle and the correction of inherited assumptions

One of the most important features of *Pringle* is that hereditary right prevailed over long-standing social and official assumption.

For decades, one branch had been treated as the baronets. The relevant succession had been accepted publicly. Later evidence demonstrated that the biological condition of the limitation had not been satisfied.[30,31,32,33,34,35] The constitutional response was not to preserve the mistaken succession merely because it had become established in practice.

The correct heir was identified according to the evidence. That principle has wider significance.

Historical usage may be persuasive evidence of right. It is not always conclusive.[36]
Likewise, absence from usage may be persuasive evidence against an alleged title. It is not necessarily conclusive where other evidence establishes that the right followed a different course.[37,38,39,40,41,42,43,44,45]

The Edgar inquiry invokes this principle cautiously.

It does not suggest that every forgotten title should be revived. It shows that constitutional recognition depends upon lawful descent and evidence, not solely upon the continuity of public assumption.

The limits of analogy

The differences between *Pringle* and the Edgar case are substantial:

- The Pringle baronetcy had a known creation date and an express limitation to male heirs of the body.[46]
- The identity of the original grantee was undisputed.
- The existence of the dignity was undisputed.
- The issue concerned biological descent within a comparatively recent and documented family line.
- The DNA evidence addressed a specific break in that line.
- Edgar's case begins much earlier.
- The original instrument is missing.
- The exact limitation is unknown.
- The Oxford designation is disputed.
- The survival of the dignity is unresolved.
- The descent may involve heirs general, women, co-heirs, abeyance, royal merger and numerous collateral branches.[47,48]

Pringle therefore cannot prove Edgar's case by analogy. Its relevance is methodological and constitutional. It confirms that hereditary status may be determined through evidence, that long non-claim does not necessarily destroy a right, and that official recognition may be corrected when the underlying succession is shown to be wrong. The Supreme Court's official account records expressly that the passage of time and failure to claim sooner did not extinguish or bar Murray Pringle's claim. [49,50,51]

The case supplies a principle of approach, not a shortcut to outcome.

The use of scientific evidence in *Pringle*

The decisive evidence in *Pringle* was scientific. DNA testing established with very strong support that the person through whom the title had been treated as descending was not the biological son required by the limitation.

The Board's willingness to admit and rely upon that evidence illustrates the constitutional importance of the best available proof.

Hereditary claims are not insulated from later discoveries merely because a historical succession has been accepted for a long period.

The Edgar case is unlikely to be resolved through one equivalent scientific test.

Its evidential field is broader and more fragmented. Chronicles, land records, heraldic manuscripts, legal principles, expert opinion and pedigrees must be considered together.

The lesson is not that DNA and historical sources are equivalent. It is that evidence should be evaluated according to its reliability and relevance rather than excluded because it unsettles an established understanding.

Time and non-claim

The treatment of delay in *Pringle* is especially relevant to the question of ancient hereditary rights.

The claimant and his father had not asserted the baronetcy at the earliest possible time. The title had been used by another branch. The Board nevertheless concluded that the lapse of time did not extinguish or bar the claim.

That conclusion cannot be applied mechanically to every peerage or dignity.[52,53]

Different legal systems, limitations and constitutional contexts may produce different results.[54]

It does, however, weaken the proposition that non-use alone invariably destroys hereditary status.
Edgar's probable dignity has been unrecognised for centuries. That silence is powerful negative evidence. It may support extinction, merger, dormancy or loss of memory. It is not, by itself, an identified legal act.

The claimant must still prove creation and survival. The opposing case cannot rely solely upon the passage of time as though time were a surviving forfeiture instrument.[55]

Proof of creation without a patent

The missing Williamian instrument remains the central evidential difficulty.[56,57,58,59]
The absence of a patent does not reverse the burden. It does not require constitutional authority to assume a creation until disproved.

The petitioners must establish creation through other evidence.[60,61,62]

The historical case includes Edgar's extraordinary constitutional status, William's political need to accommodate him, the provision of substantial lands, medieval references to comital rank and Professor Licence's independent opinion that Edgar was probably made an earl.[63,64,65,66,67,68,69,70]

Taken together, these elements support more than mere possibility.

They provide a coherent explanation of Edgar's post-submission position.

The alternative explanation—that no formal comital rank existed and that all later references arose from courtesy or error—remains possible. It must be weighed against the cumulative evidence.

The balance-of-probabilities conclusion reached in this study is that William more likely than not created or confirmed Edgar as an earl in late 1066 or early 1067.[71]

That conclusion remains qualified because the constitutive act itself is not extant.

Proof of Oxford

The burden becomes more difficult when the territorial designation is considered.
No surviving contemporary instrument presently joins Edgar, comital rank and Oxford in one title-specific formula.[72,73,74,75,76]

The Oxford case depends principally upon the early-modern tradition associated with Glover, Milles, Martyn and Hume, together with later repetition and geographical plausibility. The tradition is too persistent and too early to dismiss as a purely modern invention.
Its source dependence nevertheless limits its weight.

Repeated citation does not create multiple independent witnesses where later writers derive from one intermediary. The balance-of-probabilities question is therefore narrower than absolute proof. Is Oxford more likely than any competing territorial designation?[77]

Oxford is the leading recoverable identification, although the evidence does not reach the same strength as the evidence for comital rank itself.[78,79,80,81,82,83]

That hierarchy must be preserved in any constitutional determination.

Proof of hereditary character

The absence of an express limitation also affects the burden concerning descent.

The petitioners cannot quote a clause granting the dignity to Edgar and his heirs.

They rely instead upon the nature of early hereditary honours and the absence of evidence for a life-only or male-only restriction.

A presumptive heirs-general model is historically and legally serious. It is not identical to direct proof of the original terms.

The burden requires the petitioners to show why that model is more likely than the alternatives. The political purpose of incorporating Edgar into the Norman order may support a hereditary settlement. Early dignities could possess hereditary character before later patent formulas became standard. No evidence presently identifies a special remainder.[84]

Against this stands the possibility that the rank was personal, conditional or connected with an office or landholding that did not survive Edgar.[85]

The heirs-general conclusion should therefore remain presumptive.[86]

It identifies the leading model for descent rather than reproducing a lost limitation as settled text.[87]

Proof of survival

Survival carries a heavier burden than creation.[88]

The evidence shows rebellion, dispossession, reconciliation and renewed accommodation. It does not preserve a conclusive judgment of permanent forfeiture, an express restoration, a surrender or a continuous recognised succession.[89,90,91]

Several models remain open:

1. permanent forfeiture;
2. temporary deprivation;
3. restoration;
4. regrant;
5. merger in the Crown;
6. dormant survival;
7. abeyance among co-heirs;
8. or extinction through failure of the limitation.

A claimant asserting present survival must displace the alternatives that would terminate or suspend the right:

- The absence of a forfeiture instrument assists but does not prove survival.[92,93]
- The absence of continuous title usage weighs against survival but does not prove extinction.
- The burden at this stage may remain unmet even where original creation is established.

That is not an inconsistency. A dignity can be proved to have existed without its modern survival being proved.[94]

Proof of descent

The genealogical burden is exacting.[95] A claimant must do more than show descent from Margaret or David I. Every potentially senior branch must be examined.[96] Every daughter capable of transmission must be included.[97] Every co-heirship must be identified.[98]
Every failure of issue must be proved.[99] Every point of reunion or consolidation must be demonstrated. A line descending from a medieval sovereign may be historically genuine yet legally junior to another line.

The Hallifax pedigree demonstrates a documented descent from David I into a non-sovereign family. That lineage is valuable evidence of dynastic continuity. It does not prove that the dignity followed the same route.[100]

The sovereign line similarly demonstrates descent from Margaret and David I. It does not prove that every private hereditary right consolidated in the Crown.[101,102]

The burden of title direction requires the whole field, not one verified branch.[103]

The place of official rolls

The absence of Edgar's dignity from the Roll of the Peerage establishes that it is not presently recognised.[104,105,106] That fact is constitutionally important. It does not determine original creation.
Ancient dignities may require proof through evidence other than a surviving patent or later roll entry. Recognition follows the successful establishment of the claim; it is not a precondition to historical existence.[107]

The Roll therefore answers the present administrative question. It does not by itself answer the eleventh-century historical question.

The burden remains upon the claimant to supply sufficient evidence for recognition. The Roll need not be treated as though it were erroneous merely because an unrecognised claim exists.

Only a completed constitutional process could alter the present position.[108]

Evidential consistency

A probability assessment must consider whether the asserted case is internally consistent.

The Edgar case becomes weaker where it shifts between incompatible models without acknowledging them:

- A Haroldian creation cannot be treated simultaneously as proved and as unnecessary.
- A Williamian creation cannot be used to explain a title supposedly held securely before submission unless confirmation is distinguished from first creation.
- Great Chesterford cannot be treated as a contemporary proof of Williamian creation if the Domesday entry refers to TRE status and may use a later appellation.
- The sovereign line cannot be declared the sole destination while the existence of collateral co-heirs remains unexamined.
- A disciplined case preserves alternatives until the evidence resolves them.

Consistency does not mean selecting one theory prematurely. It means ensuring that each inference fits the chronology and does not rely upon another unproved proposition as though already settled.

Cumulative proof

No single item establishes Edgar's complete case. The argument depends upon cumulative proof:

- Edgar's Wessex descent establishes constitutional importance.
- His constitution as king establishes that he was more than an unsuccessful claimant.
- His submission establishes the need for settlement.
- William's political methods make comital accommodation plausible.
- The provision of land supports the material basis for rank.
- Medieval references support comital status.
- Professor Licence's opinion supports a Williamian creation or confirmation.
- The antiquarian tradition supports Oxford as the leading designation.
- Legal history permits proof without a surviving patent and allows heirs-general transmission as a presumptive model.
- Genealogy demonstrates that the family continued through Margaret and David I.
- Official correspondence shows that the creation issue crossed a prima facie threshold without receiving final determination.

Each element has limits. Together they form the case. The strength of cumulative proof depends upon genuine convergence. It must not consist merely of several sources repeating the same unsupported statement.

The danger of numerical counting

Evidence is not assessed by counting citations. Ten later books repeating Hume do not necessarily outweigh one earlier source contradicting him. A large pedigree does not establish title direction merely because it contains hundreds of documented names. Numerous references to Edgar as a prince do not prove an earldom. The inquiry must ask what each source independently contributes:

- A source may prove identity.
- Another may prove chronology.
- Another may preserve a title tradition.
- Another may explain legal principle.

The cumulative case becomes strong when different kinds of evidence support different necessary parts of one coherent conclusion. It becomes weak where apparent abundance conceals dependence upon one uncertain origin.

Adverse inference and missing evidence

The absence of expected evidence may support an adverse inference.[109,110]

If Edgar possessed a publicly active and hereditary Earldom of Oxford, one might expect later recognised successors, title usage, land associations or official memory. Their absence weighs against uninterrupted survival.

The force of the inference depends upon whether the evidence would ordinarily have survived and whether alternative explanations account for its loss. The disorder surrounding Edgar's later life, the uncertainty of his death, the movement into Margaret's royal descendants, possible merger or abeyance, later record loss and the dominance of the de Vere title all provide possible explanations.[111]

They do not eliminate the adverse inference. They reduce its conclusiveness.[112] A balanced judgment must state both.

The effect of the Anarchy

Edgar's probable final years and death fall close to the period preceding the civil conflict later known as the Anarchy.[113,114]

The precise date of his death remains uncertain, but he survived beyond 1125. Henry I died in 1135, and the disputed succession between Stephen and the Empress Matilda produced prolonged political and administrative disorder.[115]

The Anarchy should not be used as a universal explanation for every missing document.[116,117] Its relevance is nevertheless real. Royal administration, local authority, landholding and documentary custody were affected by contested rule and regional warfare. Records could be neglected, displaced or lost. Claims dependent upon an elderly prince, uncertain successors and already weakened territorial support would be particularly vulnerable to disappearance from institutional memory.

The chronology therefore supplies a historically plausible environment for documentary rupture. It does not prove that a record of Edgar's dignity existed and was lost during the conflict. It strengthens the explanation of how an already obscure honour could pass from uncertain survival into effective historical silence.

The burden applied to Edgar's kingship

The evidence for Edgar's constitution as king satisfies the balance of probabilities more strongly than several later propositions:

- The surviving English leadership selected him following Harold's death.
- The language of the sources goes beyond a private family claim.
- The confirmation of Brand as abbot of Peterborough provides evidence that royal authority was exercised in Edgar's name.
- No surviving proof establishes coronation, anointing or enthronement.

The proper conclusion is therefore that Edgar was constituted King of the English but did not complete the ceremonial and territorial consolidation associated with an established reign.

The designation Edgar II remains retrospective and interpretative. It identifies his place in the sequence without pretending that a securely documented contemporary regnal style survives.

The burden applied to comital creation

The comital creation question also satisfies the balance of probabilities, though less strongly than the kingship conclusion:[118]

- William had powerful reasons to incorporate Edgar.
- The treatment of a rival royal figure through honour and land was politically intelligible.
- Medieval testimony supports comital rank.
- Professor Licence's independent opinion supports the probability that Edgar was made an earl.[119]
- No competing explanation accounts for the whole pattern more convincingly.
- The absence of an original instrument prevents certainty about the formal terms.

The evidence indicates that William more likely than not created or confirmed Edgar as an earl in late 1066 or early 1067.

The burden applied to Oxford

Oxford remains the leading territorial identification, but the burden is not discharged at the same level of confidence as comital creation:

- The early-modern tradition is substantial enough to require serious treatment.
- Its association with heraldic and historical writers predates the modern petition.
- The Wessex geography and political context support plausibility.
- No contemporary title-specific instrument survives.[120]
- The dependence among later writers remains unresolved in part.
- The Great Chesterford material does not establish Oxford.

The finding is therefore qualified, Oxford is more persuasive than any currently identified competing territorial designation, but the exact title remains less securely proved than Edgar's probable comital rank.

The burden applied to survival and present direction

The burden of proving continuous survival has not yet been satisfied:[121,122]

- The record does not establish a permanent forfeiture.
- It also does not establish uninterrupted hereditary transmission.
- The later creation of the de Vere earldom, absence of recognised successors and centuries of non-use weigh heavily against simple continuity.
- Restoration, merger, dormancy and abeyance remain possible.
- The modern direction is even less certain.[123]
- The royal line may represent the leading constitutional destination.[124]
- The Hallifax line demonstrates a documented collateral descent from David I.
- Neither route has yet been shown to contain the whole consolidated hereditary right.

Accordingly, no modern holder can presently be declared.

Constitutional restraint

A constitutional decision need not produce one all-encompassing answer:

- It may recognise one proposition while reserving another.[125] It may conclude that Edgar was probably an earl while declining to recognise Oxford. It may recognise Oxford historically while concluding that survival is unproved.[126]
- It may find the dignity extinct.[127]
- It may find that the line entered the Crown.[128]
- It may determine that the hereditary direction remains unresolved among co-heirs.[129]
- This capacity for staged determination is essential to a fair application of the burden of proof.
- It prevents uncertainty at the end of the chain from erasing evidence at the beginning.
- It also prevents a strong historical creation case from being used to leap over unresolved legal descent.

The significance of *Pringle* for remedy

Pringle demonstrates that constitutional recognition may be corrected according to evidence even after a long period of contrary assumption.[130] It also demonstrates that hereditary right is not necessarily extinguished by delay or non-claim.[1]

For Edgar's case, the decision supports the possibility of inquiry and correction.[132] It does not dictate recognition.

Before any remedy could follow, the petitioners would need to establish the propositions relevant to that remedy:[133,134]

- Historical correction requires proof of creation.[135]
- Recognition of Oxford requires proof of identity.[136]
- Recognition of survival requires proof that no terminating event intervened.[137]
- Recognition of a holder requires proof of complete title direction.[138]
- The wider the requested remedy, the greater the evidential field that must be mastered.

Chapter conclusion

The Edgar–Oxford case must be determined through the balance of probabilities, applied separately to each stage of the argument:[139]

- The burden rests upon those asserting the historical dignity and any modern consequence said to follow from it.

- The evidence satisfies that burden most strongly in relation to Edgar's Wessex identity, his constitution as King of the English and the probability that William I created or confirmed him as an earl after submission.[140]

- Oxford is the leading territorial identification, but it remains qualified by the absence of a contemporary title-specific instrument and unresolved dependence among later sources.

- A presumptive heirs-general model is legally serious but does not reproduce the unknown limitation as settled fact.

- The burden of proving uninterrupted survival and present title direction has not yet been discharged.

In re Pringle of Stichill does not prove Edgar's claim. Its circumstances were materially different. It demonstrates that hereditary status may be corrected through reliable evidence, that long-standing public assumption is not conclusive, and that lapse of time and delayed claim do not necessarily extinguish an hereditary right.

The resulting judgment is carefully qualified, on the balance of probabilities, Edgar was constituted King of the English and was subsequently created or confirmed as an earl by William I. Oxford remains the strongest recoverable territorial identification of that probable dignity. The evidence does not presently establish uninterrupted legal survival or a modern holder.[141,142,143,144]

That conclusion neither dismisses the petition nor grants it in full. It identifies what has been proved, what remains probable and what remains unresolved. The procedural consequence of that division appears in the official correspondence and the continuing abeyance of the creation question.[145,146]

Chapter 30 endnotes

1 In the Matter of the Baronetcy of Pringle of Stichill [2016] UKPC 16; [2016] 1 WLR 2870. The Judicial Committee delivered its judgment on 20 June 2016.
2 The matter was a reference to the Judicial Committee of the Privy Council for advice to the sovereign concerning the person entitled to be entered upon the Official Roll of the Baronetage as holder of the Pringle of Stichill baronetcy.
3 The official account describes the case as governed by Scots law and records that the Board was asked to advise Her Majesty who should be entered upon the Official Roll as Baronet of Pringle.
4 The baronetcy had been granted in 1683 by Charles II to Robert Pringle of Stichill and "the male heirs of his body."
5 The existence, original grantee and express limitation of the Pringle baronetcy were not disputed. The central dispute concerned whether the publicly accepted line satisfied that male-line limitation.
6 These features distinguish Pringle materially from Edgar's alleged dignity, for which no surviving constitutive instrument, express remainder or complete recognised succession has been found.
7 The value of Pringle to this book is therefore methodological and constitutional rather than directly precedential. It demonstrates that official hereditary recognition may be corrected according to reliable evidence even after a long period of contrary acceptance.
8 The civil standard ordinarily expressed as the balance of probabilities asks whether a proposition is more likely than not to be true. The strength of the evidence required remains responsive to the seriousness and inherent probability of the proposition, although the legal standard itself does not become a higher criminal standard.
9 Pringle should not be represented as having created a new universal rule that every disputed ancient dignity is determined by one simplified probability test. The Board addressed the particular evidence and law governing the Stichill succession.
10 The relevance of Pringle is consistent with the wider evidential method: creation, territorial identity, hereditary character, survival and descent must each be established according to the weight of the relevant evidence.
11 The balance-of-probabilities formulation also appears expressly in Professor Tom Licence's expert conclusion that Edgar was created an earl by William I. Licence's letter is the direct source for that historical assessment.
12 Historical probability and constitutional proof overlap but are not identical. A historian may conclude that an event probably occurred, while constitutional recognition may require proof of additional legal incidents and an authorised determination.
13 The Edgar inquiry contains several propositions of unequal evidential strength. They should not be merged into one allegation called "the claim."
14 The first proposition concerns Edgar's constitution as King of the English after Hastings.
15 The second concerns probable comital creation or confirmation by William I.
16 The third concerns Oxford as the territorial identification of that dignity.
17 The fourth concerns hereditary character and the presumptive heirs-general model.
18 The fifth concerns survival through rebellion, forfeiture, reconciliation, restoration, merger, dormancy or abeyance.
19 The sixth concerns the complete legal descent of the dignity.
20 The seventh concerns any present constitutional or private destination.
21 Proof of an earlier proposition does not discharge the burden attaching to a later one. A dignity may be proved to have existed and also be proved, or remain likely, to have become extinct.
22 The burden rests upon the person asserting historical creation or modern hereditary right. Present constitutional authorities are not required to disprove every alleged ancient honour.
23 The absence of an original instrument does not reverse that burden. It permits the claimant to rely upon other evidence appropriate to the period.
24 Francis Beaufort Palmer, Peerage Law in England: A Practical Treatise for Lawyers and Laymen (London: Stevens and Sons, 1907), on proof of dignities where the original patent cannot be found and on the claimant's obligation to establish creation, limitation and succession.
25 Palmer's account belongs to a later legal system. It provides an evidential and legal framework rather than direct testimony concerning William I's settlement with Edgar.
26 A prima facie case is evidence sufficient on its face to justify further consideration if not displaced or materially weakened. It is not a final adjudication.
27 The invitation to submit supplemental evidence in the Edgar matter is consistent with the creation proposition having crossed an initial evidential threshold. It did not recognise the creation as established.
28 The phrase final proof in Chapter 30 describes the assessment remaining after relevant qualifications, conflicting evidence and competing explanations have been considered.
29 The distinction between prima facie and final proof protects both sides of the inquiry. It prevents premature dismissal while preserving the burden required for recognition.
30 In Pringle, DNA evidence revealed that the branch long accepted as succeeding to the baronetcy did not satisfy the biological male-line condition of the original limitation.
31 The official account states that DNA obtained from the person treated as the tenth baronet gave very strong support to the conclusion that his paternal line was not descended from the relevant baronet.
32 The Board concluded that there was no legal basis for excluding the DNA evidence from consideration.

33 The consequence was that official and social acceptance of the intervening succession could not prevail over evidence showing that the express hereditary limitation had followed another branch.
34 The official report records that the rightful succession passed through Murray Pringle's branch and that the delay in advancing the claim did not extinguish or bar the hereditary right.
35 Pringle therefore demonstrates that long-standing recognition may be corrected where better evidence proves that the legal limitation was not satisfied.
36 It does not establish that public usage is irrelevant. Continuous usage and official acceptance remain evidence, but they may be displaced by stronger proof.
37 The same distinction applies inversely to an unrecognised dignity. Long non-use is significant negative evidence, but it is not automatically equivalent to a surviving legal act of extinction.
38 The analogy is necessarily limited because Pringle involved a known title and an express male-line remainder. Edgar's alleged dignity lacks both a surviving original instrument and an established succession.
39 The DNA evidence in Pringle addressed one precisely defined biological question. No equivalent single scientific test can prove Edgar's creation, Oxford designation or legal survival.
40 Edgar's case depends upon cumulative evidence drawn from different fields: medieval narrative, constitutional conduct, landholding, later title tradition, expert historical opinion, legal principle and genealogy.
41 Cumulative proof is strong only where different sources contribute genuinely distinct evidence. Several later authors repeating one earlier statement do not constitute several independent witnesses.
42 The possible dependence of William of Poitiers upon the Carmen de Hastingae Proelio must therefore be considered when assessing testimony to Edgar's elevation and the submission negotiations.
43 The dependence of later Oxford writers upon Robert Glover, Thomas Milles, William Martyn, David Hume or an unidentified common intermediary must likewise be assessed.
44 Numerical abundance is not a substitute for source independence.
45 J. H. Round, Peerage and Pedigree: Studies in Peerage Law and Family History, 2 vols. (London: James Nisbet, 1910), on the necessity of testing pedigrees and title traditions against their documentary foundations.
46 The Pringle succession was determined by the express limitation "male heirs of his body." Edgar's alleged dignity cannot be confined to heirs male merely because Pringle involved such a limitation.
47 The Edgar heirs-general model arises from separate reasoning: no surviving instrument establishes a special male-only limitation, and early hereditary dignities could descend through women where the governing limitation permitted it.
48 Pringle supplies no direct authority for asserting that Edgar's dignity was created in fee simple or descendible to heirs general.
49 The modern Royal Warrant governing the Roll of the Peerage requires a person seeking recognition as a peer to prove succession to the relevant dignity to the satisfaction of the responsible authorities. The College of Arms describes Garter King of Arms as providing a ruling to the Crown on whether the claim has been satisfactorily made out.
50 That modern procedure concerns recognition and proof of succession. It does not supply the terms of Edgar's alleged eleventh-century creation.
51 The Official Roll of the Baronetage is separately maintained under royal warrants intended to safeguard recognised baronetcies and prevent misuse.
52 The procedural setting of Pringle arose from that baronetage system, not directly from the Roll of the Peerage.
53 Pringle was not an ordinary peerage case. It concerned a baronetcy, which is hereditary but is not a peerage dignity.
54 Its constitutional relevance remains substantial because the sovereign sought the Judicial Committee's advice concerning official hereditary recognition.
55 The passage of time in Pringle did not validate a succession inconsistent with the original limitation.
56 The judgment's treatment of delay does not mean that delay is evidentially neutral. Delay may cause loss of documents, death of witnesses and difficulty reconstructing a claim.
57 The relevant distinction is between evidential difficulty and automatic legal extinction.
58 In Edgar's case, centuries of silence weigh strongly against uninterrupted recognised survival. They do not by themselves identify whether the dignity was forfeited, extinguished, merged, dormant or abeyant.
59 A claimant asserting present survival must do more than show that no extinction instrument has been found.
60 The claimant must present affirmative evidence and a legally coherent descent sufficient to make survival more probable than the terminating alternatives.
61 The absence of continuous title usage is therefore relevant adverse evidence.
62 The later de Vere Earldom of Oxford is also relevant adverse evidence because it demonstrates that the same territorial designation later operated as a recognised dignity without visible competition from an Edgar successor.
63 Neither fact independently proves the legal cause of the earlier dignity's disappearance.
64 The burden relating to Edgar's kingship is materially different from the burden relating to the alleged earldom.
65 The Carmen, William of Poitiers and the Peterborough annal support Edgar's election or constitution as king and the exercise of royal authority in his name.
66 Professor Licence's letter cites the Carmen word electus, William of Poitiers's regem statuerant and the confirmation of Brand as abbot of Peterborough.
67 The book does not treat the Carmen phrase in regem sacrent as conclusive evidence that Edgar completed coronation or anointing.

68 The evidence indicates that Edgar was constituted King of the English but did not establish a securely documented coronation, enthronement or effective national reign.
69 The retrospective form Edgar II is consequently interpretative rather than a claimed contemporary official style.
70 The burden relating to comital creation is supported by Edgar's royal status, William's need to secure his submission, the grant of substantial lands, medieval comital terminology and Professor Licence's independent historical assessment.
71 Licence concluded on the balance of probabilities that William created Edgar an earl at the end of 1066 or early in 1067.
72 The book's formulation "created or confirmed" preserves the unresolved possibility that Edgar may already have received comital rank from Harold II.
73 No original Williamian instrument survives naming the dignity or recording its terms.
74 The comital finding is therefore probabilistic, not documentary certainty.
75 The burden relating to Oxford is less fully discharged than the burden relating to comital rank.
76 Professor Licence expressly stated that there is no contemporary evidence that Edgar's earldom centred upon Oxfordshire.
77 He nevertheless concluded that the antiquarian testimony and historical context tended more strongly toward Oxford than toward another location.
78 The book accordingly treats Oxford as the strongest recoverable or leading territorial identification.
79 That wording does not claim the same level of proof as would a surviving contemporary charter or title formula.
80 The Great Chesterford entry is not necessary to the creation conclusion.
81 Professor Licence reported that modern Domesday specialists favour identification of the Great Chesterford Comes Edgarus with Ælfgar rather than Edgar Ætheling.
82 He also considered that, if the entry were conclusively shown to concern Edgar, it would provide very strong independent support for comital status.
83 The evidence indicates that Great Chesterford is disputed and cannot bear the principal burden of proof.
84 The hereditary-character burden is not discharged by the mere existence of comital rank.
85 An earldom might have been hereditary, personal, conditional, territorial or associated with an office under terms no longer recoverable.
86 The heirs-general model is the leading presumption adopted by this book in the absence of evidence for a special limitation.
87 That model remains subject to correction if a better account of the original limitation emerges.
88 The survival burden is more difficult than the creation burden because Edgar subsequently rebelled against William's rule.
89 Professor Licence considered that Edgar's earldom would have fallen forfeit through the rebellion of 1068 or 1069.
90 This book treats permanent legal extinction more cautiously because Edgar's later reconciliation may raise questions of restoration, regrant or renewed accommodation.
91 Reconciliation does not itself prove restoration of the same dignity.
92 Absence of a surviving forfeiture judgment does not itself prove survival.
93 The evidential position therefore permits several models: permanent forfeiture, temporary deprivation, restoration, regrant, merger, dormancy, abeyance or extinction by failure of limitation.
94 A modern claimant must establish which model most probably occurred before present entitlement can be recognised.
95 The burden relating to genealogical descent requires proof of more than one ascending line from a medieval ancestor.
96 Every potentially senior branch must be identified.
97 Female transmissions must be considered where the dignity is alleged to descend to heirs general.
98 Every co-heirship must be identified and traced.
99 Failures of issue and later consolidations must be demonstrated rather than assumed.
100 The Hallifax pedigree establishes a documented descent from David I within the documented Hallifax stream. It does not establish that Edgar's probable dignity followed that branch.
101 The royal line establishes descent from Margaret and David I through later sovereign houses. It does not establish that the entire private hereditary right consolidated in the Crown.
102 Being the most senior known descendant within one researched line is not equivalent to being the universal heir general.
103 The present title direction cannot be determined by choosing the best-documented modern descendant while leaving other branches unexamined.
104 The absence of Edgar's alleged dignity from the Roll of the Peerage establishes present non-recognition.
105 The Roll was created by Royal Warrant in 2004, and persons seeking official recognition must prove succession to the relevant dignity.
106 Present omission from the Roll does not operate retrospectively as proof that no Williamian dignity was ever created.
107 Conversely, proof of historical creation would not by itself entitle a person to entry upon the Roll.
108 Entry would require proof of a presently recognisable dignity and lawful succession under the relevant constitutional process.

109 The chapter's discussion of adverse inference reflects a general evidential principle: the absence of evidence may weigh against a proposition where the missing evidence would ordinarily be expected to exist and survive.
110 The inference must be calibrated to the conditions of the period.
111 Edgar's probable dignity, if created, may have been brief, politically disrupted, separated from its supporting estates and carried into a collateral royal family.
112 These circumstances reduce the conclusiveness of silence but do not make the silence irrelevant.
113 The Anarchy began after Henry I's death in 1135 and produced contested royal authority under Stephen and the Empress Matilda.
114 Edgar's precise death date is uncertain, but his probable final years and death lie close to the decades preceding that conflict.
115 The Anarchy supplies a plausible context for weakened record custody, local disorder and administrative discontinuity.
116 It does not prove that a specific document concerning Edgar's title existed and was destroyed.
117 The wording of Chapter 30 properly treats the Anarchy as contextual evidence concerning documentary vulnerability rather than as a universal explanation for missing proof.
118 The burden applied to Edgar's kingship is satisfied more strongly than the burdens applied to Oxford, survival or present direction.
119 The burden applied to comital creation is satisfied on the balance of probabilities, principally through cumulative historical evidence and Professor Licence's independent opinion.
120 The burden applied to Oxford supports a leading identification but not an unqualified contemporary title formula.
121 The burden applied to hereditary character supports a presumptive model rather than recovery of an express remainder.
122 The burden applied to uninterrupted survival has not yet been discharged.
123 The burden applied to modern title direction has not yet been discharged.
124 Constitutional restraint permits these differentiated findings.
125 An authority could recognise probable comital creation while reserving Oxford.
126 It could recognise Oxford historically while finding survival unproved.
127 It could find that a dignity existed but later became extinct or merged.
128 It could conclude that an extant dignity entered abeyance, provided the relevant co-heirs were proved.
129 It could recognise a modern holder only after complete title direction was established.
130 Pringle supports this evidence-led approach because the official succession was corrected according to the proven limitation rather than preserved solely through prior acceptance.
131 The official account further confirms that delay and previous non-claim did not bar the rightful successor in the particular circumstances of that case.
132 That conclusion does not remove the petitioners' burden in Edgar's case.
133 It demonstrates that non-use and elapsed time should be analysed rather than treated as self-executing extinction.
134 The remedy requested must remain proportionate to the proposition proved.
135 Historical correction requires proof of historical creation.
136 Recognition of Oxford requires proof of territorial identity.
137 Recognition of hereditary survival requires proof that no terminating event defeated the right.
138 Recognition of a holder requires proof of the complete legal descent.
139 Chapter 30 therefore adopts a staged judgment rather than an all-or-nothing conclusion.
140 The final proposition is:
141 On the balance of probabilities, Edgar was constituted King of the English and was subsequently created or confirmed as an earl by William I. Oxford remains the strongest recoverable territorial identification of that probable dignity. The evidence does not presently establish uninterrupted legal survival or a modern holder.
142 That proposition is consistent with Professor Licence's expert conclusion concerning creation, while remaining more cautious concerning coronation, forfeiture, Oxford, hereditary limitation and present entitlement.
143 Pringle supports the legitimacy of testing inherited assumptions through reliable evidence. It does not supply any missing element of Edgar's title history.
144 The case's proper role within this book is therefore confined but important: it demonstrates that hereditary recognition follows proved legal descent rather than social habit alone, and that delay does not necessarily extinguish a right whose existence and limitation are otherwise established.
145 The official judgment and official Supreme Court account provide the authoritative record of the dispute, rather than later media summaries.
146 College of Arms material concerning proof of succession and the Roll of the Peerage should likewise be cited for the present recognition process, without implying that it decides the historical existence of Edgar's alleged dignity.

CHAPTER 31
Official Correspondence and Procedural Abeyance

The official correspondence generated by the Edgar–Oxford petition does not determine the historical or legal merits of the claim. It records how the claim was received, framed, preserved and left unresolved within the constitutional process.[1]

That record is important because ancient dignity claims often fail not only on evidence, but on procedure. A historical proposition may be serious enough to merit consideration while remaining too incomplete for recognition. A petitioner may establish an evidential gateway without establishing the title itself. An authority may preserve a question for further examination without deciding whether the alleged dignity was created, survived or descended.

The Edgar correspondence reflects precisely that intermediate position.

The alleged Williamian comital creation was not accepted as established fact. It was also not treated as a proposition incapable of constitutional consideration. The evidence assembled by Guest was sufficient to support further submission, and the petitioners were invited to develop the territorial, hereditary and descent questions through supplemental material.[2]

The resulting position was one of procedural abeyance.

That expression must be distinguished carefully from the legal abeyance of a peerage among co-heirs. Procedural abeyance describes an unresolved question within an administrative or constitutional process. It does not establish that the dignity itself exists in abeyance.[3]

Correspondence as evidence

Official correspondence can perform several evidential functions:

- It may prove that a petition was received.[4]
- It may identify the question understood by the receiving authority.
- It may record what further information was requested.[5]
- It may explain why no determination was made.
- It may preserve an issue for later consideration.
- It may also reveal that the petitioners' understanding of the process differed from the authority's own characterisation.

The correspondence cannot prove medieval creation merely because an official discussed it. Administrative engagement is not historical recognition.[6]

Nor does the use of terms such as claim, title, creation or peerage necessarily imply acceptance of the underlying proposition. Officials often describe an allegation in the language supplied by the petitioner for the purpose of explaining procedure.[7,8,9,10,11,12,13,14,15]

The exact effect depends upon the wording, context and function of each communication.

This is why the correspondence must be treated as a primary source for the modern procedural history, but not as primary proof of the eleventh-century events.[16]

The constitutional path of an ancient dignity claim

An alleged ancient dignity presents procedural difficulties different from those arising in a recent and fully documented succession.[17,18]

A later patent peerage may be proved through the enrolled instrument, the express limitation and a comparatively contained pedigree.[19]

Edgar's probable dignity lies before the standardisation of letters patent. The original constitutive act is not known. The title designation is reconstructed from later traditions. Its legal survival is obscured by rebellion, reconciliation, record loss, collateral descent and centuries of non-use.[20,21,22]

The petition therefore had to establish not only the merits of the historical case, but the procedural intelligibility of considering it at all.[23,24,25]

The initial evidential question was whether the absence of the original instrument made the claim incapable of further examination.[26]

The correspondence demonstrated that it did not.

Other evidence could be considered. The alleged Williamian creation could form part of a peerage claim if sufficiently established through historical sources, expert analysis and supporting circumstances.[27,28,29,30]

That procedural opening was significant. It did not answer the claim.

The prima facie creation case

The invitation for a supplemental submission followed the assembly of evidence supporting a prima facie case that William I had created or confirmed Edgar Ætheling as an earl.
The evidential threshold concerned comital creation before it concerned the full territorial designation.

Much of the submitted material carried the Oxford attribution. The initial gateway, however, was broader and more fundamental: whether Edgar's post-submission position probably included formal comital rank within William's political settlement.

The distinction matters because a weakness in the territorial attribution need not destroy the underlying creation case.

The petitioners' evidence placed several elements together:

1. Edgar's constitution as King of the English;
2. his submission to William;
3. the need to accommodate a rival dynast;
4. provision of lands and honour;
5. medieval references to comital rank;
6. the later Oxford tradition;
7. and Professor Tom Licence's opinion that Edgar was probably made an earl. [31]

The official response did not convert those elements into a finding. It treated them as sufficient to justify fuller examination.[32,33,34]

That was the procedural consequence of the prima facie threshold.[35]

The invitation to supplement

An invitation to submit further evidence occupies a defined constitutional space. It is more than mere receipt. It indicates that the material already supplied has raised questions capable of further examination.[36] It is less than recognition.[37] It preserves uncertainty and places the burden upon the petitioners to address the deficiencies identified or implied by the existing record.[38]

In Edgar's case, the supplemental work had to move beyond the broad proposition of comital rank. It had to examine:

1. whether Oxford was the leading territorial identification;
2. whether the dignity was hereditary;
3. whether it descended to heirs general;
4. whether rebellion produced permanent forfeiture;
5. whether later reconciliation amounted to restoration, regrant or accommodation;
6. whether the dignity survived or merged;
7. and where any surviving hereditary right might have passed.

The Supplemental Petition was therefore an evidential expansion, not a procedural victory.[39] The invitation confirmed that the case was arguable. It did not confirm that it was correct.

The absence of an original instrument

The official process necessarily confronted the missing patent or constitutive instrument.[40] For a claim rooted in 1066 or 1067, the absence of later-form letters patent cannot be treated as surprising. The constitutional issue is whether other evidence can establish the creation with sufficient confidence.

The correspondence recognised that the alleged antecedent creation could be examined through evidence other than an extant patent.[41,42,43] That approach is consistent with the legal-historical principle later expressed by Palmer: where the patent cannot be found in the Patent Rolls or elsewhere, resort must be had to other evidence.

The principle does not create a presumption in favour of the claimant. It prevents the documentary form of a later age from being imposed as an absolute condition upon an earlier royal act.

The burden remains substantial. Other evidence must establish the existence and character of the dignity on the balance of probabilities. The official invitation for further material confirms that this evidential route was procedurally available in Edgar's case.[44,45,46,47]

What the correspondence did not recognise

The correspondence did not recognise Edgar as Earl of Oxford:[48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69]

- It did not declare that William I created the dignity.[70]
- It did not determine whether Harold II first granted it.[71]
- It did not establish that the dignity was hereditary.
- It did not decide that it descended to heirs general.
- It did not find that forfeiture had failed or that restoration occurred.[72,73]
- It did not place the dignity upon the Roll of the Peerage.[74]
- It did not identify a lawful modern holder.[75]
- It did not establish that the title itself was in legal abeyance.

These limits are essential.[76] Without them, procedural engagement could be converted improperly into substantive success.[77]

The most that can be said is that the historical creation proposition passed an initial threshold sufficient to warrant supplemental examination and remained capable of forming part of a peerage claim.[78,79,80,81,82]

That is meaningful, but limited.

Procedural abeyance

The term abeyance appears in two different parts of the Edgar inquiry.

In hereditary law, abeyance may arise where an impartible dignity descends to equal co-heirs. The right to the whole title is represented by more than one person, preventing any single co-heir from exercising it.

In procedure, a question may be held in abeyance because no final decision has been made. The Edgar creation issue entered the second category.

Its determination was suspended or reserved while the evidential and procedural position remained incomplete. The correspondence preserved the issue rather than resolving it.[83,84,85,86,87]

This did not imply that legal rights were divided among identified co-heirs. The distinction is more than semantic. Confusing the two forms would allow an administrative status to be cited as evidence that the peerage itself survived in abeyance. No such conclusion follows.

Procedural abeyance proves unresolved consideration. Hereditary abeyance requires proof of an extant dignity and equal co-heirs.

The changing shape of the claim

The petitioning process clarified that the Edgar case contained several possible claims rather than one indivisible demand.

The broadest form would seek recognition of a presently extant Earldom of Oxford and identification of its holder.[88]

That form requires proof of creation, title, hereditary limitation, survival and complete descent. A narrower claim would seek recognition that Edgar was created or confirmed as an earl, while leaving the territorial designation and modern consequences unresolved.[89]

A further intermediate claim would seek recognition that Oxford was the leading historical designation, without asserting present survival.[90]

The correspondence encouraged the petitioners to confront these distinctions.[91] As the process developed, the separation of historical existence from modern title direction became increasingly important. This was not a retreat from the original case. It was a refinement of the relief sought to match the strength of the evidence.

Historical existence and legal direction

Late in 2025, the petitioners proposed that the historical existence and original character of the dignity be considered separately from the unresolved direction of the personal dignity title.[92,93] That proposal addressed a central procedural problem.[94]

If every historical proposition had to await proof of the final modern heir, the creation question could remain indefinitely unresolved. The descent through Margaret and David I involves many branches, co-heirships, royal successions and possible points of merger. A complete legal reconstruction may require evidence far beyond that needed to determine whether William probably made Edgar an earl.[95,96,97]

Conversely, historical recognition should not predetermine modern entitlement.[98,99]

A staged inquiry allows the constitutional authority to determine what the evidence supports at each level:

- The first stage can address creation.
- The second can address Oxford.
- The third can address hereditary character and survival.
- The fourth can address descent.

This sequence avoids two opposite errors. It prevents unresolved modern genealogy from erasing a strong historical case. It also prevents a strong historical case from being treated as proof of present ownership.

The constitutional value of reservation

Reservation is not necessarily administrative inactivity.

A question may be reserved because the available evidence is incomplete but serious. The authority may decline to reject the claim while also declining to recognise it. This preserves institutional neutrality.[100]

In the Edgar matter, reservation maintained the alleged creation as an unresolved issue capable of further evidential development. It protected the petitioners from the assertion that the matter had been conclusively dismissed.[101,102] It also protected the constitutional authority from the assertion that the claim had been accepted.

The value of such a position depends upon accurate description. Calling it recognition would overstate the outcome. Calling it rejection would understate the procedural survival of the issue. The appropriate description is continuing unresolved consideration.[103]

Administrative language and legal consequence

Official correspondence is often written in restrained administrative language.[104,105]
Such language may appear less definitive than the petitioner expects because its purpose is not to narrate the complete constitutional history. It identifies procedural status and institutional responsibility.

Words such as may, capable, alleged, purported, unresolved and further evidence carry real importance. They preserve conditionality:

- A statement that an alleged creation may form part of a peerage claim confirms procedural relevance. It does not find that the creation occurred.[106]
- A statement that a question remains in abeyance confirms absence of determination. It does not identify the reason or legal consequence unless expressly stated.[107]
- A request for supplemental evidence confirms that the existing material is incomplete. It does not imply that completion will produce recognition.[108]

The correspondence must therefore be interpreted through its precise terms rather than through the petitioners' hopes or the sceptic's assumptions.

The petitioner's duty of accuracy

Once official correspondence becomes part of the public or scholarly record, the petitioners bear a duty to reproduce it accurately. Selective quotation can distort procedural meaning:

- A sentence acknowledging the alleged creation should not be separated from language reserving determination.
- An invitation to supplement should not be described as approval.
- A reference to a peerage claim should not be presented as entry upon the Roll.[109]

The same duty applies to this book.[110,111] The correspondence supports a serious procedural narrative. It does not support a triumphal one.[112] The integrity of the historical argument is strengthened by preserving the limits of the official response.[113]

Institutional competence

The modern honours and peerage system involves several institutions and advisory functions:

- An administrative office may receive correspondence and explain procedure without possessing final authority to determine an ancient dignity.[114,115,116]
- Legal advisers may assess whether a claim is capable of proceeding.[117]
- The sovereign may act upon formal constitutional advice.[118,119]
- A committee or judicial body may become involved where hereditary entitlement requires determination.

The exact procedural route depends upon the nature of the claim and the relief sought. The correspondence does not imply that every official writer possessed authority to decide creation, survival and descent conclusively.

Institutional competence matters. A communication may be authoritative concerning procedure while remaining non-determinative concerning historical merits.[120] The petitioners' staged approach recognises this division. It seeks to place each question before the body capable of addressing it.

The Roll of the Peerage

The Roll records recognised peerages and their holders. Edgar's alleged dignity is not presently entered upon it.

That absence confirms the current constitutional position; no recognised Edgar creation of the Earldom of Oxford is active upon the Roll. The official correspondence did not alter that position.[121] The petitioning process concerned whether evidence might justify recognition or further determination. Until such a process succeeds, the Roll remains unchanged.

The absence of the dignity from the Roll does not determine whether an original Williamian creation occurred. It determines present recognition.[122,123] This distinction is central to the procedural case.

The petitioners do not begin with an existing recognised entry requiring a routine succession update. They begin with an alleged antecedent dignity whose historical existence must first be established.[124,125]

The procedural burden is correspondingly greater.

The de Vere earldom and official caution

The later and well-established de Vere Earldom of Oxford necessarily complicates official consideration.[126,127] The territorial designation is not empty historical ground. It belongs to one of the most prominent peerage traditions in English history. Any claim that Edgar held an earlier dignity of the same designation must distinguish the alleged creations and explain the legal status of the earlier honour when the later one arose.[128,129]

The official process could not treat Oxford merely as a convenient geographical label. The petitioners had to address whether Edgar's dignity had become extinct, merged, forfeited, dormant or otherwise incapable of competing with the later creation.

This helps explain why probable comital creation and Oxford identification were separated. An authority might accept that Edgar was probably an earl while remaining unconvinced that the dignity was Oxford or that an earlier Oxford title survived.

The correspondence left room for that differentiated conclusion.

Genealogical incompleteness

The official process also confronted the difficulty of modern descent. The petitioners could demonstrate significant genealogical lines, including the Hallifax descent from David I and wider royal connections.[130]

Those pedigrees established historical relationship.[131] They did not establish the complete legal direction of an impartible dignity.[132]

A claim to heirs general requires examination of every senior and equal branch. The royal line, continental branches, daughters, co-heirs and failures of issue must all be considered. The presence of several petitioners further demonstrated that genealogy and title ownership were not identical.[133]

The correspondence did not recognise any petitioner as holder.[134] The later proposal to separate historical existence from title direction responded directly to this evidential incompleteness.

The sovereign direction

The possibility that the dignity ultimately entered the sovereign line adds another layer of constitutional complexity.[135] If the right consolidated in a person who became sovereign, the dignity may have merged in the Crown or become incapable of separate exercise.[136,137,138]

That outcome would differ fundamentally from recognition in a private petitioner.[139,140,141] It could support an historical finding without producing a new peerage holder.

The official process therefore had to preserve several possible destinations:

1. extinction;
2. merger in the Crown;
3. abeyance among co-heirs;
4. dormant survival;
5. or vesting in an identifiable subject.

The correspondence did not select among them.[142] Its restraint reflects the unresolved state of the descent evidence.

The effect of delay

The period between submissions, correspondence and further procedural development should not be interpreted automatically as either rejection or acceptance.[143] Ancient dignity claims require historical, genealogical and legal examination. The evidence may span centuries and cross institutional boundaries.

Delay can result from complexity, administrative priority, uncertainty over jurisdiction or the need for further material.[144] It may also reflect reluctance to proceed. The record must establish which explanation applies rather than relying upon inference alone.

In the Edgar case, the significant fact is that the issue remained unresolved and was not converted into a final constitutional determination.[145] Delay preserved uncertainty. It did not answer it.

The absence of final determination

At the time represented by the correspondence, no final determination had issued concerning:[146]

1. Williamian creation;
2. the Oxford designation;
3. hereditary character;
4. legal survival;
5. merger;
6. abeyance;
7. or modern entitlement.

This absence defines the current constitutional position. The book may reach historical conclusions on the balance of probabilities. The petitioners may advance legal arguments. Professor Licence may support probable comital creation. None of those acts is equivalent to a formal constitutional decision.

The distinction between scholarly judgment and constitutional recognition must remain clear.

The procedural achievement

Although no final recognition occurred, the petitioning process achieved something substantive:[147]

- It brought an alleged eleventh-century dignity into a modern constitutional record.[148]
- It established that the claim could not be dismissed solely because the original patent was absent.
- It secured an invitation for supplemental evidence.[149]
- It separated the creation question from the later issues of territorial identity, survival and descent.
- It preserved the alleged antecedent creation as a matter capable of forming part of a peerage claim.[150,151,152,153]
- It generated an official documentary history through which the modern treatment of the claim can be examined.

These achievements are procedural rather than dispositive.[154,155] They created a path of inquiry. They did not determine where that path ends.

The risk of permanent procedural suspension

Procedural abeyance can protect an unresolved question, but it can also become indefinite:[156,157]

- Where no authority assumes responsibility for advancing the issue, reservation may function practically as non-determination without end.
- The petitioner may continue to provide evidence while the constitutional system declines to reach the merits.
- The difficulty is especially acute where historical creation can be examined separately but modern title direction remains vast and uncertain.
- The staged proposal offers one possible response.
- A determination of historical existence could be made without awaiting completion of the entire descent.[158]
- That would not resolve every constitutional consequence. It would prevent the strongest historical question from remaining suspended solely because the weakest later question is incomplete.

Procedural fairness

A fair process requires the petitioners to understand what proposition is being considered and what evidence remains necessary.[159,160,161,162,163,164] It also requires the constitutional authority to avoid implying recognition where none exists.[165]

The invitation to supplement, the reservation of the creation issue and the later separation proposal all contribute to procedural clarity. The petitioners know that the original creation remains unresolved. They also know that Oxford, survival and modern direction require separate proof.

This is a more honest position than an all-or-nothing claim. It allows the evidence to be assessed proportionately including for example heritage, descent from Margaret of Scotland and Malcolm III.

Relationship to constitutional remedy

The official correspondence leads directly to the question of remedy:[166]

- If the historical evidence establishes probable creation, what constitutional response is available?[167]
- If Oxford is the leading designation but survival remains unproved, can historical recognition occur without entry upon the Roll?
- If the dignity entered the Crown, can that be acknowledged without creating a separately exercisable title?
- If the right remains among unidentified co-heirs, can the historical dignity be recognised while the abeyance remains unresolved?
- If the evidence proves creation but also proves extinction, what form should the official record take?[168]

The correspondence did not answer these questions. It created the procedural setting in which they must be asked.

The documentary significance of the exchange

The correspondence itself now forms part of the evidential history of the Edgar claim. Any later examination will consider not only the medieval chronicles and antiquarian title tradition, but also the manner in which modern constitutional authorities received and characterised the petition.[169]

That documentary record may become important whether the claim succeeds or fails:

- If recognised, it will show the stages through which the evidence was developed.
- If rejected, it will record the propositions considered and the procedural basis of the outcome.[170,171,172,173]
- If left unresolved, it will demonstrate the continuing distance between historical probability and constitutional determination.[174]

In each case, the correspondence preserves institutional memory that the alleged dignity previously lacked.

Chapter conclusion

The official correspondence did not recognise Edgar Ætheling as Earl of Oxford, declare the dignity extant or identify a modern holder. Its significance lies elsewhere.

The evidence assembled by Guest established a prima facie case that William I created or confirmed Edgar as an earl. Much of that evidence bore the Oxford attribution, but the initial procedural gateway concerned the existence of the Williamian comital creation.[175]

The petitioners were invited to submit supplemental material addressing territorial identity, hereditary character, legal survival and possible descent. The invitation confirmed that the absence of the original instrument was not automatically fatal where other evidence justified further examination.[176]

The resulting position was one of procedural abeyance. That status preserved the creation question without determining it. It did not establish that the alleged dignity itself was legally in abeyance among co-heirs.[177,178,179,180,181]

Official correspondence during 2025 continued to treat the antecedent creation as a matter capable of forming part of a peerage claim while leaving the central questions unresolved. The petitioners' later proposal to separate historical existence and original character from the personal direction of the dignity responded to the structure of the evidence.[182]

The conclusion is therefore; the official record establishes neither recognition nor rejection. It establishes that the Edgar creation case crossed a prima facie evidential threshold, entered a continuing constitutional process and remained procedurally unresolved while the Oxford identification, hereditary incidents, survival and descent awaited further determination. The correspondence preserved the question.

The next chapter considers what constitutional remedy could follow if historical proof establishes more than the present official record has yet recognised.

Chapter 31 endnotes

1 The principal source for the modern procedural chronology is John Lindsay Robert Guest, Darren John Halifax and Dennis Keith Lillee, The Petitioners' Reasoning for Suggesting a Resolution to Declare the Existence of Edgar Ætheling's Title Earl of Oxford, Which Is Presently in Abeyance, 2 December 2025. The paper records and interprets official correspondence received during April and May 2025.
2 The three petitioners identified on the title page are John Lindsay Robert Guest, Darren John Halifax and Dennis Keith Lillee, MBE, AM.
3 The December 2025 paper records the petitioners' analysis rather than an official determination. Its descriptions of constitutional process, ministerial responsibility, procedural abeyance and official language must therefore be distinguished from the wording and institutional function of the underlying correspondence.
4 The paper identifies two relevant official communications: correspondence received from the responsible constitutional office on 23 April 2025 and a subsequent communication concerning the alleged Earldom of Oxford received from the relevant government department on 1 May 2025. The identities of individual correspondents are withheld because they are unnecessary to the historical and procedural analysis.
5 The original correspondence is retained within the protected Heritage 1066 project archive as the primary documentary record of what the relevant offices communicated. The December 2025 paper records the petitioners' interpretation of those communications.
6 Official correspondence is evidence of receipt, procedural treatment, requests or opportunities for further submission, and the terms in which the alleged creation was discussed. It is not independent proof of the medieval events advanced in the petitions.
7 Administrative or constitutional use of terminology supplied by a petitioner does not necessarily amount to acceptance of that terminology as established historical or legal fact.
8 The phrases "antecedent fact of the creation of the Earl of Oxford" and "in abeyance" acquired central importance in the petitioners' interpretation of the 2025 correspondence.
9 The petitioners' paper states that their understanding developed only after investigation of the modern peerage-claim process, the role of His Majesty's Government and the historical evidence supporting the Supplemental Petition.
10 The questions listed by the petitioners included whether the Government's role was confined to a Royal Warrant procedure, how that procedure related to a petition alleging a first creation in 1067, whether the submitted historical evidence could be evaluated and how the phrase "antecedent fact" should be understood.
11 Those questions show that the petitioners themselves recognised uncertainty concerning jurisdiction, procedure and the legal effect of the correspondence.
12 The 2024 Supplemental Petition requested consideration of the proposition that William I created for Edgar Ætheling an hereditary personal dignity in 1067. The request records the relief sought; it does not establish that the creation, date or hereditary character had been officially accepted.
13 Professor Tom Licence's expert opinion supported probable comital creation on the balance of probabilities. His historical conclusion did not determine how a modern constitutional authority was required to process the petition.
14 The modern proof-of-succession procedure for an existing recognised peerage is not identical to examination of an alleged first creation from the pre-patent period.
15 The petitioners' paper refers to the Royal Warrant of 2004 as governing proof of succession to existing peerages through processes involving the Lord Chancellor and Garter King of Arms.
16 That description belongs to the petitioners' procedural analysis. It should not be treated as an official ruling that the Royal Warrant either governed or did not govern every aspect of the Edgar petition.
17 The Roll of the Peerage concerns presently recognised dignities and the persons proved to have succeeded to them.
18 Edgar's alleged dignity is not presently entered upon the Roll.
19 The petitioners did not approach the matter as a routine succession to a recognised peerage supported by an enrolled patent and an accepted line of holders.
20 The case alleged an antecedent dignity whose creation, territorial identity, hereditary limitation, survival and descent all required preliminary determination.
21 That distinction explains why official receipt and discussion could occur without immediate entry upon the Roll or recognition of a holder.
22 The petitioners' paper describes claims involving an alleged pre-charter or pre-patent first creation as distinct from routine proof of succession.
23 It further states that historically unusual or dormant claims could involve petition to the Crown and referral for specialist legal or constitutional consideration.
24 Those propositions are part of the petitioners' research and argument. They are not, without further official authority, proof that a particular referral mechanism was mandatory in Edgar's case.
25 The correspondence must therefore be interpreted according to what it expressly said, not according to every procedural possibility discussed by the petitioners.
26 The most significant quoted official sentence preserved in the December 2025 paper is:
27 "That is not to say that the antecedent fact of the creation of the Earl of Oxford could not form part of a claim to the peerage itself, if you were minded to revive such a claim."

28 The phrase "antecedent fact" places the alleged creation before the question of present entitlement.
29 The wording treats the creation as something capable of forming part of a revived claim.
30 It does not state that the creation had been established as fact.
31 It does not declare that Edgar's dignity was hereditary.
32 It does not declare that the dignity survived.
33 It does not identify Oxford conclusively through a contemporary instrument.
34 It does not recognise any petitioner as holder.
35 The conditional formulation is permissive and procedural. It preserves the potential relevance of the alleged creation rather than determining its truth.
36 The reference to reviving a claim indicates that a further or renewed submission would be required before the peerage question could advance through whatever constitutional process was applicable.
37 The sentence is therefore more significant than a refusal to engage, but materially less than recognition.
38 The petitioners regarded the sentence as leaving open a legal and constitutional route for the historical creation proposition. That interpretation should be attributed to the petitioners rather than presented as an official declaration of legal effect.
39 The December 2025 paper describes the correspondence as concerning why the Supplemental Petition was understood to contain an "antecedent fact" and to be "in abeyance."
40 Any assertion within the petitioners' paper concerning what "the Crown considers" remains the petitioners' characterisation of the official communications. The exact institutional wording remains controlling where available.
41 This book therefore adopts the narrower conclusion that the alleged creation was preserved as a matter capable of forming part of a peerage claim.
42 It does not adopt the broader proposition that the Crown formally validated the creation.
43 The petitioners' paper separates its discussion into the role of Government, the reason for holding the petition in "abeyance," and the significance of the phrase "antecedent fact of the creation."
44 That structure confirms that the paper is interpretative and analytical rather than an official judgment.
45 The word abeyance has two materially different meanings within this book.
46 Legal or hereditary abeyance concerns an impartible dignity represented by two or more equal co-heirs.
47 Procedural abeyance concerns a submission, question or decision that remains suspended, reserved or unresolved.
48 The 2025 correspondence concerned the procedural status of the petition or determination.
49 It did not identify equal co-heirs among whom an extant Edgar dignity was legally in abeyance.
50 A finding of hereditary abeyance would require prior proof of the dignity's creation, continuing legal existence, applicable limitation and descent to identified equal co-heirs.
51 None of those matters was finally determined by the correspondence.
52 The chapter therefore uses procedural abeyance to prevent the administrative status from being confused with a peerage-law conclusion.
53 The petitioners' December 2025 title described Edgar's title as "presently in abeyance."
54 That title records the petitioners' interpretation and advocacy.
55 This book does not adopt that wording as proof that the dignity itself is legally abeyant.
56 The petitioners' detailed discussion states that "abeyance" in their understanding meant that the decision was suspended or placed on hold and was not a rejection.
57 The first part of that interpretation applies only in the procedural sense: no final determination had issued.
58 Whether the status was intended to be temporary, indefinite or subject to a particular further submission depends upon the exact official correspondence.
59 The absence of final determination should not be described as either success or failure on the merits.
60 Official silence or reservation can arise for many reasons, including incomplete evidence, uncertainty concerning jurisdiction, procedural form, competing constitutional responsibilities or administrative discretion.
61 Unless the official correspondence states the reason, this book does not assign one conclusively.
62 The petitioners proposed several possible explanations for procedural suspension, including novelty, unresolved legal or historical proof and political or policy sensitivity. Those explanations are petitioners' analysis, not established reasons supplied by the Crown or Government.
63 This book therefore excludes speculation concerning confidential advice, internal routing, contact information, protected advisers and unpublished administrative reasoning.
64 The provenance notice expressly states that private covering correspondence, confidential advice, contact details, internal routing information and protected adviser identities are excluded.
65 That exclusion protects confidentiality without preventing publication of the procedural conclusions supported by the disclosed record.
66 The disclosed record establishes that no final determination of creation, survival or title direction had issued at the time represented by this book.
67 The official correspondence did not recognise Edgar as Earl of Oxford.
68 It did not validate the petitioners' complete research corpus.
69 It did not adopt Professor Licence's opinion as a constitutional finding.
70 It did not declare that William I created an hereditary dignity in 1067.
71 It did not determine that Oxford was the correct designation.
72 It did not find that an alleged title survived Edgar's rebellions.

73 It did not decide between forfeiture, restoration, regrant, merger, dormancy, extinction or hereditary abeyance.
74 It did not determine the line through Christina, Margaret, David I, the sovereign house or the Hallifax stream.
75 It did not identify the whole lawful right in one person.
76 These negative propositions are important because correspondence may otherwise be overstated through selective quotation.
77 The correspondence was nevertheless procedurally meaningful.
78 It treated the alleged antecedent creation as capable of forming part of a peerage claim.
79 It did not state that the absence of surviving letters patent made the historical proposition incapable of consideration.
80 It left open the possibility of a revived claim.
81 It thereby preserved the distinction between the historical creation question and proof of present succession.
82 The book's description of a prima facie threshold refers to the evidential seriousness of the submitted creation case and the resulting capacity for further consideration.
83 It is not presented as a formal judicial ruling unless the original official correspondence itself uses that expression.
84 Professor Licence's letter materially contributed to that evidential seriousness by concluding that William probably created Edgar an earl.
85 The correspondence itself did not determine whether Licence's opinion was accepted.
86 The official record should therefore be described as preserving the question rather than deciding it.
87 The changing shape of the claim reflects the progressive separation of its component propositions.
88 The broadest possible claim would seek recognition of an extant Earldom of Oxford and its holder.
89 A narrower claim would seek recognition that William created or confirmed Edgar as an earl.
90 An intermediate claim would seek recognition that Oxford is the leading historical designation while reserving survival and descent.
91 The correspondence's reference to an antecedent creation supports the procedural intelligibility of separating those stages.
92 It does not guarantee that any particular stage can be formally determined in isolation.
93 The petitioners' later proposal to separate historical existence from the direction of the personal dignity was an attempt to align the requested relief with the differing strength of the evidence.
94 That proposal remains advocacy until accepted by competent constitutional authority.
95 The analytical distinction is historically and evidentially sound.
96 A finding that Edgar was probably made an earl can be reached without identifying a modern holder.
97 A finding that Oxford is the leading designation can be considered without proving uninterrupted survival.
98 A conclusion that survival is unproved does not reverse an otherwise supported historical creation.
99 Conversely, proof of creation does not establish a current right.
100 Reservation of the issue protects institutional neutrality.
101 It prevents an incomplete claim from being represented as recognised.
102 It also prevents an unresolved matter from being represented as conclusively rejected.
103 The appropriate description is therefore continuing unresolved consideration or procedural abeyance, subject to the exact official terms.
104 Administrative expressions such as alleged, antecedent, could, claim, revive and abeyance must retain their conditional force.
105 Removing those qualifications would alter the substantive meaning of the correspondence.
106 A statement that an alleged creation could form part of a claim is not equivalent to a finding that the creation occurred.
107 A statement that a petition is held in abeyance is not equivalent to a finding that the dignity is held in hereditary abeyance.
108 A request for further submission is not equivalent to an invitation to assume recognition.
109 A reference to the Earldom of Oxford may identify the subject matter of correspondence without accepting the title as historically proved.
110 The petitioners' duty of accuracy therefore includes reproducing official wording faithfully and distinguishing quotation from interpretation.
111 The same duty governs this book.
112 The exact quoted sentence concerning the "antecedent fact" is reproduced because its conditional language is central to the procedural conclusion.
113 The petitioners' interpretation of that sentence is discussed separately and is not merged with the quotation.
114 An institutional correspondent may possess authority to explain administrative procedure without possessing authority to adjudicate the title itself.
115 The correspondence should therefore be read within the competence of the office from which it came.
116 No administrative communication is attributed a peerage judgment that it did not purport to deliver.
117 The modern honours system may involve the sovereign, ministers, the Lord Chancellor, the College of Arms, Garter King of Arms, legal advisers and, where lawfully engaged, other adjudicative or parliamentary institutions.
118 Their functions are not interchangeable.
119 The petitioners' paper describes ministerial advice, proof of succession and legal or constitutional oversight as distinct functions.

120 That distinction supports caution in interpreting any one communication as a final exercise of all relevant constitutional powers.
121 The correspondence did not alter the Roll of the Peerage.
122 Present non-entry continues to mean that no Edgar Earldom of Oxford is officially recognised as an active dignity with a proved holder.
123 Present non-entry does not constitute a contemporary record disproving a creation in 1066 or 1067.
124 A successful historical finding would not necessarily require immediate entry upon the Roll if survival and present holder remained unresolved.
125 A successful title claim would require substantially more than historical probability.
126 The later de Vere Earldom of Oxford also required official caution because it constitutes the recognised peerage history attached to that territorial designation.
127 Nothing in the correspondence displaced, invalidated or reopened the recognised de Vere succession.
128 The antecedent-creation proposition concerns whether Edgar held an earlier and legally distinct dignity.
129 A determination of that proposition would still require examination of what became of the alleged earlier honour before the later creation.
130 The petitioners' genealogical evidence similarly did not resolve official recognition.
131 Verified descent from Margaret or David I establishes historical relationship.
132 It does not prove the complete direction of an impartible dignity.
133 The existence of several petitioners reinforces the need to distinguish shared historical interest from sole legal entitlement.
134 The correspondence did not select among the petitioners.
135 It did not prefer the sovereign line.
136 It did not determine whether the right had merged in the Crown.
137 It did not identify any body of co-heirs.
138 The possibility of a sovereign destination remains a later legal and genealogical question.
139 If the whole right consolidated in the sovereign line, the constitutional consequence could differ from recognition of a private holder.
140 If the right divided among co-heirs, recognition would require identification of those co-heirs before legal abeyance could be declared.
141 If the dignity became extinct or was permanently forfeited, historical recognition might carry no present title consequence.
142 The official correspondence reserved rather than resolved those alternatives.
143 Delay between submissions and responses is not self-interpreting.
144 It may reflect complexity, administrative workload, uncertainty over procedure, the need for further evidence or a decision not to advance the matter.
145 Unless an official source identifies the reason, this book does not state one as fact.
146 The December 2025 paper records that the petitioners' understanding "took time to develop," which itself demonstrates that the correspondence did not provide a simple dispositive outcome.
147 The procedural achievement should therefore be expressed in measured terms.
148 The petitioners created a modern documentary record.
149 They obtained official engagement with the proposition.
150 The official wording preserved the alleged antecedent creation as potentially relevant to a revived peerage claim.
151 The central historical and legal questions remained unresolved.
152 The provenance statement reflects the same conclusion: official correspondence during 2025 preserved the alleged antecedent creation as a matter capable of forming part of a peerage claim while leaving the creation question in procedural abeyance.
153 The same notice states expressly that no final determination of creation, survival or title direction had issued.
154 Those statements provide the governing evidential language for Chapter 31.
155 Categorical assertions unsupported by the disclosed record do not displace the qualified conclusion stated here.
156 The chapter's discussion of possible permanent procedural suspension is an inference from the nature of unresolved administrative processes, not a statement that officials intended indefinite delay.
157 A question held in procedural abeyance can remain unresolved unless a claimant supplies further material, revives the claim or obtains a formal referral.
158 The official sentence expressly contemplated revival of a claim.
159 It did not state what evidence, form, jurisdiction or procedure would govern that revival.
160 Those matters therefore remain open.
161 Procedural fairness requires clarity concerning the proposition under consideration and the burden attaching to it.
162 The correspondence clarified at least one point: the alleged antecedent creation could be relevant to a peerage claim.
163 It did not clarify every evidential and institutional step required to obtain a final determination.
164 The petitioners' staged approach responds to that uncertainty by proposing historical consideration before complete personal-title direction.
165 The constitutional availability of that approach remains to be determined by competent authority.
166 The correspondence leads naturally to the remedial questions addressed in Chapter 32.

167 If probable creation is historically established, the available response may differ depending upon whether Oxford, hereditary character, survival and modern direction are also proved.
168 An official historical statement, declaratory acknowledgment, referral for further determination, recognition of extinction, recognition of merger or recognition of a holder would each require different findings.
169 Chapter 31 does not select the remedy.
170 It establishes the procedural position from which remedy must be considered.
171 The documentary value of the correspondence will remain regardless of the eventual outcome.
172 If the claim advances, the correspondence records the point at which the antecedent-creation question remained open.
173 If it is rejected, the correspondence records that the matter was previously treated as capable of forming part of a claim.
174 If it remains unresolved, the correspondence records the continuing distance between historical probability and constitutional determination.
175 The conclusion is therefore:
176 The official record establishes neither recognition nor rejection. It establishes that the alleged antecedent creation was treated as capable of forming part of a revived peerage claim, while creation, territorial identity, hereditary character, survival and title direction remained unresolved.
177 The phrase procedural abeyance in that conclusion describes the unresolved status of the petition or creation question.
178 It does not describe the proven legal condition of Edgar’s alleged dignity.
179 No statement in Chapter 31 should be read as asserting that the Crown has validated the historical title.
180 No statement should be read as asserting that the Crown has finally rejected it.
181 The precise constitutional status remains non-recognition accompanied by preserved procedural possibility.
182 The original official correspondence remains protected within the Heritage 1066 project archive. References identify institutional source, date and procedural substance while withholding the names, contact details and personal information of individual correspondents.

CHAPTER 32
Historical Proof and Constitutional Remedy

The petitioning process has brought the Edgar–Oxford question to a point where historical proof and constitutional remedy must be separated without being disconnected.[1]
Historical proof asks what most probably happened.

Constitutional remedy asks what formal response should follow if that historical conclusion is accepted.

The first question belongs principally to the assessment of evidence. The second belongs to constitutional authority, legal classification and institutional competence. A historian may conclude that Edgar Ætheling was probably created or confirmed as an earl. That conclusion does not, by itself, place a dignity upon the Roll of the Peerage, identify a lawful holder or determine whether the title remains capable of separate exercise.[2,3,4,5]

The relationship between proof and remedy is therefore sequential:

- A remedy cannot be justified without proof. Proof does not dictate one inevitable remedy.[6]
- The Edgar case is particularly suited to a staged approach because the evidence is strongest at the beginning of the chain and becomes progressively less certain as the inquiry moves toward the present.
- Edgar's royal identity is secure.
- His constitution as King of the English is strongly supported.[7,8,9]
- His subsequent comital creation or confirmation by William I is more likely than not.[10]
- Oxford is the leading territorial identification, but less securely established.
- Hereditary character is probable under the early fee-simple model, although the precise limitation is unknown.
- Continuous legal survival is unresolved.
- Modern title direction has not been proved.

A constitutionally proportionate response must reflect that hierarchy.

The meaning of historical proof

Historical proof does not require the recovery of every missing document. The past is often established through converging evidence rather than one complete record. Chroniclers, official acts, political conduct, landholding, later copies, heraldic traditions, legal principles and expert assessment may together support a conclusion more strongly than any individual source alone.[11]

The absence of a constitutive instrument remains important. It prevents the precise wording, territorial limitation and hereditary terms of Edgar's probable dignity from being reproduced with certainty.

It does not prevent a finding that a comital settlement probably occurred.

The historical conclusion must be framed according to the evidence actually available:[12]
William I more likely than not created or confirmed Edgar Ætheling as an earl after the submission of the surviving English leadership in late 1066 or early 1067.[13,14]

That proposition does not depend upon proving every later legal consequence. It is capable of being assessed as a historical fact in its own right.

The constitutional significance of historical correction

Constitutional history is not merely descriptive background. It helps define the origins of institutions, titles and public authority.

If Edgar was probably incorporated into William's settlement through comital rank, that conclusion affects the interpretation of the Norman Conquest. It shows that William's treatment of the last male dynast of Wessex involved more than pardon or detention. It suggests a formal accommodation designed to subordinate royal legitimacy within the new order.[15,16,17,18,19,20,21,22]

Recognition of that historical conclusion would also correct the conventional portrayal of Edgar as a figure whose constitutional importance ended with his submission.

He remained important enough to require rank, resources, supervision and repeated negotiation. The discovery or recovery of an omitted historical dignity can therefore justify an official response even where no present hereditary claimant is recognised.

A constitutional system capable of recording grants and successions must also be capable, in an appropriate case, of correcting or supplementing its historical understanding.

Such correction need not create a present peerage.

Recognition of historical creation

The narrowest available remedy would be recognition of historical creation or confirmation.

That remedy would acknowledge that Edgar was probably made an earl by William I without determining the territorial designation, legal survival or present holder. It would reflect the strongest part of the evidential case.

Such recognition could take several forms. It might appear in an official historical statement, an advisory finding, a revised institutional record or a formal acknowledgment within the constitutional correspondence.

The precise form is less important than the distinction it would preserve. Recognition of historical creation would not mean:

1. that the dignity remains extant;
2. that Oxford has been conclusively established;
3. that the title should be added immediately to the current Roll;
4. or that any petitioner may use it.

It would establish the historical beginning of the inquiry. That finding could stand even if every later legal route failed.

Recognition of the Oxford identification

A broader remedy would acknowledge Oxford as the leading territorial identification of Edgar's probable dignity.[23] This conclusion is more qualified.

The early-modern tradition associating Edgar with Oxford is substantial and persistent. It appears through the Glover–Milles–Martyn–Hume pathway and later writers. It is supported by political and geographical plausibility.[24,25,26,27,28] No surviving contemporary instrument joins Edgar, comital rank and Oxford in one conclusive formula.[29]

The constitutional response should therefore avoid presenting Oxford with the same degree of certainty as the comital creation itself.[30]

An appropriate historical formulation would be, Oxford is the strongest recoverable territorial identification of the earldom probably created or confirmed for Edgar Ætheling, although the designation is not proved by a surviving contemporary title instrument.[31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46]

This form recognises the weight of the tradition without suppressing its evidential limitation.

It would also distinguish the alleged Edgar dignity from the later de Vere creation.[47]

The de Vere title and the possibility of an earlier dignity

Recognition of an earlier Edgar dignity would not invalidate the later Earldom of Oxford held by the de Vere family.[48,49,50] Titles bearing the same territorial designation can exist as successive creations where the earlier dignity has become extinct, forfeited, merged or otherwise unavailable for active exercise.[51,52]

The de Vere earldom possesses its own recognised constitutional history.

The Edgar claim concerns an alleged antecedent honour arising from the settlement immediately following the Conquest.[53,54,55,56,57,58] A formal historical response would need to distinguish the two clearly. It should not imply that the de Vere succession was defective merely because an earlier dignity may have existed.[59]

The unresolved issue is what happened to Edgar's honour before the later creation.

Recognition of historical precedence is not the same as revival of competitive possession.

Recognition of hereditary character

The proposed dignity is best understood through the early hereditary model later expressed as descent in fee simple to heirs general:

- No special limitation survives.
- No evidence establishes a life-only dignity.
- No general Salic rule excludes descent or transmission through women.

These considerations support a finding that the dignity was probably hereditary. The exact legal formulation remains uncertain because the constitutive act is missing and the terminology of later peerage law cannot be projected mechanically into 1066.

A constitutional finding could therefore acknowledge probable hereditary character without asserting a verbatim limitation.[60] The appropriate conclusion would be, the dignity was more probably hereditary than personal, and in the absence of evidence for a special limitation its possible descent must be examined through the heirs-general model.[61,62,63,64]

This finding would permit continued descent research. It would not identify a holder.

Recognition of extinction

A constitutional inquiry may establish creation but conclude that the dignity later became extinct. That outcome would not negate the historical case.

It would mean that the title existed but ceased to exist through a legally effective event or failure of succession. Possible grounds include permanent forfeiture, lawful surrender, failure of the applicable limitation or some other terminating act.

The surviving evidence does not presently establish such an event conclusively.[65]

The later de Vere creation, absence of continuous usage and disappearance from recognised title records provide substantial negative evidence. They may support extinction when combined with other proof.

A finding of extinction would require more than reliance upon silence alone.

If extinction were established, the proper remedy would be historical recognition without modern revival.[66] Edgar could be recorded as the probable holder of an early dignity while no present title followed.[67]

Recognition of merger in the Crown

Another possible conclusion is that the dignity descended through Margaret's royal descendants and ultimately became vested in a sovereign.[68,69,70,71]

If the whole hereditary right reached the Crown, the dignity may have merged, become absorbed or ceased to be separately exercisable.

That route would explain both genealogical survival and the absence of later private holders. It would also help explain why no descendant publicly maintained the title as a lesser dignity. Merger cannot be inferred merely from royal descent. Every competing branch and co-heirship must be examined.[72,73]

If the entire right did consolidate in the sovereign line, the constitutional remedy would differ from recognition in a subject.

The dignity would not necessarily reappear as an active peerage. The official finding might instead acknowledge that the historical honour entered the Crown and no longer existed as a separately exercisable dignity.

At the present stage, this is a leading possibility rather than an established conclusion.

Recognition of hereditary abeyance

If the dignity survived and descended to equal co-heirs, it may have entered legal abeyance.[74,75,76,77,78]

That finding would require proof of:

1. original creation;
2. hereditary character;
3. survival beyond Edgar;
4. the relevant collateral succession;
5. and the identities of the equal co-heirs. [79]

No such complete determination has yet been made. The number of descendants from Margaret and David I makes abeyance plausible in the abstract. It does not prove that the title reached a particular point of division.

The complexity of a pedigree alone does not establish legal abeyance.[80] The precise co-heirs must be identified. If proved, recognition of abeyance would preserve the dignity without vesting it in any one person. The Crown might then possess a lawful power to terminate the abeyance in favour of one co-heir, subject to constitutional practice and advice.

That later discretionary stage cannot precede proof of the abeyance itself.

Recognition of a private holder

The broadest remedy would be recognition of a particular person as lawful holder. That remedy requires the most extensive proof. The claimant would need to establish:

1. creation;
2. title identity;
3. hereditary limitation;
4. survival;
5. Edgar's lack of lawful issue;
6. Christina's lack of issue;
7. the descent through Margaret;
8. every relevant branch;
9. every co-heirship;
10. every failure of issue;
11. and ultimate consolidation of the whole hereditary right.

A documented descent from David I is not sufficient. A verified royal ancestry is not sufficient. Being the senior known descendant within one documented stream is not sufficient.
The dignity is impartible. A person cannot become holder merely by proving one valid route from the medieval family.

The entire legal direction must be established. No petitioner has yet met that burden.

The petitioners and the nature of relief

The petitioners' historical work does not lose value because modern personal entitlement remains unresolved. They have performed the work of recovery, synthesis and constitutional presentation. Their legitimate interest in the matter arises from documented family connection and sustained research.

The appropriate remedy may therefore differ from the relief originally imagined. A petition may begin with a title claim and ultimately produce historical recognition, institutional correction or preservation of an unresolved antecedent dignity.[81,82,83,84,85,86,87,88,89,90,91]
That is not necessarily failure. It reflects the evidence.[92]

The petitioners seek recognition of an historical wrong or omission before seeking private allocation. The constitutional process can respond to the first without prejudging the second.

The Crown's role

The Crown occupies several positions within the inquiry:[93]

- William I was the probable creator or confirmer of the dignity.[94]
- Later sovereigns may have inherited, forfeited, restored or regranted it.
- The modern sovereign acts constitutionally upon advice in relation to honours and hereditary claims.

The sovereign line may also represent the possible ultimate destination of the dignity itself. These roles must not be collapsed. The Crown as constitutional authority cannot simply appropriate a vested dignity from lawful heirs.

Nor can the Crown be treated as an ordinary competing claimant merely because the sovereign descends from Margaret.

If the whole right lawfully consolidated in the sovereign line, that result must be proved through descent. If it remained among co-heirs, the Crown's role would concern recognition or lawful determination, not private ownership by assumption.[95,96,97]

The limits of prerogative

The royal prerogative concerning honours is substantial but not unlimited. The sovereign may create new honours and, in recognised circumstances, act in relation to existing dignities.[98]

That power does not permit arbitrary diversion of an established hereditary right to a stranger.[99,100,101] Where an antecedent dignity is claimed, the first task is to determine whether the right exists and where it lies.

- If the title is extinct, a new creation may be possible, but it would not be the same legal act as recognising the ancient dignity.
- If the title is in abeyance, action must operate within the field of lawful co-heirs.
- If the title has merged in the Crown, its separate revival may involve different constitutional considerations.

The remedy must follow the classification.

Prerogative cannot replace proof.

New creation and historical recognition

A new creation would solve a different problem. The sovereign could, in principle, confer a new title bearing an appropriate designation upon a chosen recipient, subject to modern constitutional practice.

Such an act would not establish that Edgar held the earlier dignity. It would not recognise descent. It would not repair the historical record except symbolically.

The petitioners' case concerns an antecedent honour.[102] They are not merely requesting a new award inspired by Edgar. The distinction between new creation and historical recognition protects the integrity of the claim.[103] A new title may commemorate history. Recognition determines history.

Historical finding without peerage consequence

A constitutional authority may conclude that the historical evidence justifies acknowledgment while the legal evidence does not support peerage consequence.[104,105,106,107]

This could occur where:

1. creation is probable;
2. Oxford is the leading designation;
3. but survival cannot be established. [108,109,110,111,112,113,114,115,116,117,118]

Such a finding would have substantial scholarly and public value:

- It could correct institutional descriptions of Edgar.
- It could record his probable place within William's settlement.
- It could preserve the Oxford tradition as an unresolved antecedent dignity.
- It would not require alteration of the current Roll or recognition of a claimant.

This form of remedy may be the most proportionate where historical proof exceeds legal proof.[119,120]

The Roll of the Peerage and historical records

The Roll performs a present constitutional function. It records recognised peerages and their holders.

An historical finding does not necessarily require immediate entry upon the Roll:

- If the dignity is found extinct, merged or incapable of present exercise, a separate historical record may be more appropriate.
- If the dignity is found extant but the holder unresolved, the form of recognition would require careful determination.

The Roll should not be used to force every historical conclusion into a present-holder format.

At the same time, institutional records should not imply that no antecedent dignity existed merely because no current entry is possible.

A layered record can distinguish:

1. historical creation;
2. later constitutional status;
3. and present recognition. [121,122,123,124,125,126,127,128,129,130,131,132]

Such differentiation would improve accuracy.

The possibility of declaratory recognition

A declaratory form of recognition could state the historical and legal conclusions without purporting to confer a new dignity.[133,134,135,136,137,138,139,140,141,142,143,144,145,146,147,148]

It might address:

1. probable Williamian creation or confirmation;
2. the qualified Oxford identification;
3. the probable hereditary character;
4. and the unresolved later status.

A declaration of this kind would not resolve title direction unless expressly supported by the evidence. Its value would lie in correcting the antecedent record and defining the questions that remain open. The exact constitutional mechanism for such a declaration depends upon authoritative advice. The principle is nevertheless sound: recognition can be declaratory rather than distributive.

Referral for determination

Where historical creation is sufficiently established but descent remains contested, referral to a body competent to consider hereditary claims may be appropriate.

That body would need access to:

1. the original and Supplemental Petitions;
2. the official correspondence;
3. Professor Licence's opinion;
4. the historical source dossier;
5. the legal authorities;
6. and the complete genealogical tables.

Its function would not be to rewrite the history of 1066 from the beginning unless necessary. It would determine the propositions within its jurisdiction.

Referral would also impose procedural discipline. Competing descendants or institutional interests could be identified, evidence tested and legal submissions made.

The complexity of the heirs-general direction makes informal administrative determination unlikely to be sufficient.

The value of staged adjudication

A staged adjudication offers the most coherent route.

Historical stage

Was Edgar constituted king?
Was he probably created or confirmed as an earl?[149]

Identity stage

Was Oxford the territorial designation?[150,151]

Character stage

Was the dignity hereditary, and according to what presumptive limitation?[152,153]

Survival stage

Was it forfeited, restored, merged, extinguished, dormant or abeyant?

Descent stage

Where did the legal right pass?

Remedy stage

What recognition, entry, declaration or determination should follow?[154,155,156,157,158]

Each stage depends upon the preceding one but remains capable of separate conclusion.

This structure prevents the modern descent problem from swallowing the historical inquiry. It also prevents historical probability from being mistaken for present entitlement.

The danger of an all-or-nothing response

An all-or-nothing approach would produce one of two distortions. The first would reject the entire case because the modern holder cannot be proved.[159] That would erase the stronger evidence for kingship and comital creation.[160,161] The second would accept a modern title because historical creation is probable.[162,163] That would leap over the unresolved questions of forfeiture, limitation, abeyance and descent.[164]

A proportionate constitutional response must avoid both.

The case contains different levels of proof and should produce different levels of finding. This is not compromise for its own sake. It is evidential accuracy.

Historical justice and constitutional caution

The language of historical justice can be powerful but must be used carefully.

Edgar suffered political displacement. His Wessex kingship was overcome by conquest. His later historical position may have been diminished by omission and simplification.

Correcting that history does not require a constitutional authority to manufacture a modern entitlement.[165,166]

Historical justice may consist in recognising what happened.[167] Constitutional caution requires that no present legal consequence exceed the proof.

The two principles are compatible.

A careful acknowledgment of Edgar's kingship and probable earldom may correct the record while preserving uncertainty about the title's later fate.[168]

The public value of recognition

The inquiry extends beyond the interests of the petitioners:

- Edgar's place in the transition from Anglo-Saxon to Norman rule belongs to the constitutional history of England.[169]
- Recognition of his kingship clarifies the events after Hastings.
- Recognition of probable comital accommodation clarifies William's political settlement.[170]
- The Oxford inquiry illuminates the transmission and distortion of historical memory.
- The descent through Margaret and David I explains the survival of Wessex ancestry in both sovereign and non-sovereign lines.

A formal historical response would therefore serve public understanding. It would not be a private favour.

The relationship to *Long Live the King*

The constitutional remedy considered here also illuminates the connection with *Long Live the King*. This book asks how Edgar's kingship, probable earldom and possible hereditary dignity should be understood and recognised.

The companion study asks how the displaced Wessex dynasty continued through Margaret, David I and later sovereign succession.[171,172]

The two inquiries meet where historical recognition reaches the Crown.[173,174]

If Edgar's personal dignity entered the sovereign line, the constitutional destination becomes directly relevant.

If it did not, the dynastic continuity still explains why the royal house displaced in 1066 was not extinguished.

The remedy sought in the present case is therefore part of a larger effort to restore continuity to constitutional memory.[175]

The present remedial position

The evidence presently supports several findings with different levels of confidence:[176,177,178,179]

- It strongly supports recognition that Edgar was constituted King of the English.[180,181,182,183,184,185,186,187]
- It supports, on the balance of probabilities, recognition that William I created or confirmed him as an earl.
- It supports Oxford as the leading territorial identification, subject to express qualification.[188]
- It supports probable hereditary character and the relevance of heirs-general descent.
- It does not establish continuous legal survival.[189]
- It does not establish merger, extinction or abeyance conclusively.
- It does not identify a modern holder.

The most proportionate present remedy is therefore historical and declaratory rather than distributive. That remedy could preserve the probable creation and qualified title identity while reserving survival and descent for further determination.[190,191,192,193,194]

The petitioners' proposed separation

The petitioners' proposal to separate the historical existence and original character of the dignity from the personal direction of the title provides the clearest procedural model.

Under that approach, the first determination would address:

1. Edgar's kingship;
2. Williamian comital creation or confirmation;
3. the Oxford identification;
4. and probable hereditary character.

A later process would address:

1. forfeiture or restoration;
2. extinction or merger;
3. heirs-general descent;
4. co-heirship;
5. and present entitlement.

This separation does not weaken the title claim. It prevents unresolved descent from blocking historical truth.[195] It also prevents historical truth from being used prematurely to establish private right.

Chapter conclusion

Historical proof and constitutional remedy are connected, but they are not identical.
The evidence supports a strong historical finding that Edgar Ætheling was constituted King of the English and, on the balance of probabilities, was subsequently created or confirmed as an earl by William I.

Oxford is the leading territorial identification of that probable dignity, though no surviving contemporary title instrument makes the designation conclusive. The dignity was probably hereditary, and in the absence of a known special limitation its possible descent must be examined through heirs general.

The evidence does not presently establish uninterrupted survival, merger, extinction, abeyance or a modern holder. A proportionate constitutional response should therefore proceed in stages:[196]

- Historical creation and original character may be recognised without declaring present survival or private entitlement.
- Oxford may be acknowledged as the strongest recoverable designation while its evidential qualification remains explicit.
- Questions of forfeiture, merger, abeyance and title direction may then be reserved for a separate determination.

Such a remedy would neither grant the petition in full nor dismiss the recovered history.

It would recognise what the evidence proves, preserve what remains unresolved and prevent uncertainty at the end of the descent from erasing the probable constitutional settlement at its beginning.[197]

The inquiry now turns from remedy to final reconsideration.

Edgar must be assessed not merely as the defeated prince remembered by later history, but as a constituted king, probable earl and dynastic figure whose constitutional significance survived the collapse of his immediate rule.

Chapter 32 endnotes

1 Historical proof and constitutional remedy are distinct questions. Evidence may support the occurrence of a medieval event without determining what modern constitutional action, if any, follows from it.
2 The historical inquiry concerns whether Edgar was constituted king, whether William I subsequently created or confirmed him as an earl, whether Oxford was the territorial designation, and what became of the probable dignity.
3 The constitutional inquiry concerns whether any of those findings may properly receive official acknowledgment, legal recognition or entry within a modern hereditary framework.
4 Recognition of historical creation does not necessarily require recognition of present survival.
5 Recognition of survival would not by itself identify the lawful holder.
6 Recognition of a holder would require proof of the governing limitation and complete succession to the present day.
7 The evidence supporting Edgar's constitution as king is stronger than the evidence supporting the territorial designation Oxford.
8 The Carmen de Hastingae Proelio describes Edgar as electus and represents London as possessing a king.
9 William of Poitiers states that the English had established Edgar as king through the expression regem statuerant.
10 The Peterborough annal records the confirmation of the abbot-elect Brand by Edgar and supplies the clearest surviving institutional act performed under his royal authority.
11 No secure independent evidence proves a completed coronation, anointing or enthronement.
12 The resulting historical conclusion is one of real but incomplete kingship: Edgar was selected, recognised and treated as capable of royal action, but did not secure durable possession or ceremonial consolidation.
13 William's coronation on 25 December 1066 superseded Edgar's defeated kingship without rendering the preceding English constitutional acts historically nonexistent.
14 Professor Tom Licence's expert opinion concluded, on the balance of probabilities, that William I created Edgar an earl at the end of 1066 or early in 1067.
15 Licence based that conclusion upon Edgar's recognised royal position, William's need to secure his submission, the settlement reportedly offered to Harold, and William of Poitiers's statement that Edgar received substantial lands.
16 William of Poitiers's phrase amplis terris ditavit establishes generous landed provision but does not itself identify an earldom or its legal terms.
17 Licence regarded the political and landed evidence cumulatively and considered it unlikely that William would have offered Edgar anything less than comital rank.
18 The conclusion concerning probable comital creation rests upon historical inference rather than a surviving charter, patent or writ.
19 The alternative formulation created or confirmed preserves the possibility that Edgar may previously have received comital rank from Harold II.
20 No contemporary source securely establishes a Haroldian creation.
21 William's settlement following Edgar's submission remains the strongest recoverable context for the probable dignity.
22 Oxford is less securely established than comital rank.
23 Licence stated expressly that no contemporary evidence identifies Oxfordshire as the centre of Edgar's earldom.
24 He nevertheless found that the antiquarian tradition and surrounding historical considerations tended more strongly towards Oxfordshire than towards any identified alternative.
25 Robert Glover, Somerset Herald, is the earliest presently identified heraldic authority in the recoverable Edgar–Oxford tradition.
26 Thomas Milles, The Catalogue of Honor (London, 1610), transmitted the attribution in print.
27 William Martyn and David Hume belong to the later transmission of the Oxford tradition.
28 Later repetitions do not amount to independent corroboration where authors relied upon Glover, Milles, Hume or a common intermediary.
29 The Oxford attribution therefore possesses antiquity and persistence but lacks a surviving contemporary title-specific instrument.
30 Historical recognitions may consequently distinguish between probable comital creation and the more qualified identification of Oxford.
31 The absence of an original instrument does not make historical proof impossible.
32 Early dignities could be established through royal conduct, contemporary narrative, landholding, office, later institutional memory and other forms of evidence appropriate to the period.
33 Francis Beaufort Palmer, Peerage Law in England: A Practical Treatise for Lawyers and Laymen (London: Stevens and Sons, 1907), discusses proof of dignities where the original patent or instrument cannot be produced.
34 Palmer's work supplies a later evidential and legal framework; it is not direct evidence of William I's settlement with Edgar.
35 John Selden, Titles of Honor, examines the development of honour, office and territorial denomination before the mature system of letters patent.
36 William Blackstone, Commentaries on the Laws of England, Book II, distinguishes dignities and other incorporeal hereditaments from possession of the lands with which they may historically have been associated.
37 The probable dignity must therefore be considered separately from any particular estate or revenue.

38 Loss of land does not invariably prove extinction of a dignity.
39 Conversely, possession of land does not independently prove creation or survival of a peerage dignity.
40 Edgar's rebellions in 1068 and 1069 provide a plausible occasion for forfeiture or practical dispossession.
41 Licence considered that an earldom granted to Edgar would probably have fallen forfeit through rebellion.
42 That opinion concerns probable historical forfeiture; the permanent legal consequence remains less certain because Edgar later reconciled with Norman rulers.
43 Reconciliation may be consistent with restoration, regrant, renewed accommodation or landed support unconnected with the original dignity.
44 Reconciliation does not by itself prove restoration of the same earldom.
45 No surviving judgment or instrument conclusively establishes permanent extinction.
46 No surviving instrument conclusively establishes restoration or regrant.
47 Historical proofs therefore permit a finding of probable creation while leaving the later legal fate unresolved.
48 The absence of continuous public title usage is significant adverse evidence against uninterrupted recognised survival.
49 The later prominence of the de Vere Earldom of Oxford is likewise relevant to the disappearance of any earlier Oxford dignity from public and constitutional memory.
50 Neither non-use nor the later de Vere creation identifies the precise legal cause of the earlier dignity's disappearance.
51 Possible explanations include permanent forfeiture, extinction, merger, dormancy, legal abeyance, restoration followed by later failure, or loss from recognised use without surviving documentation of the decisive event.
52 These possibilities do not carry equal probability merely because each is theoretically available.
53 A present claim requires affirmative evidence that legal survival is more probable than the terminating alternatives.
54 The absence of a surviving extinction instrument does not reverse the burden of proof.
55 Historical silences have different evidential force according to the records that would ordinarily be expected to have existed and survived.
56 A short-lived dignity created amid conquest, rebellion and repeated reconciliation may leave a weaker documentary trace than a later peerage created by enrolled patent.
57 Documentary vulnerability reduces the conclusiveness of silence but does not make silence irrelevant.
58 The civil conflict known as the Anarchy provides a broader context of political and administrative disruption during the period near Edgar's uncertain final years and the generations immediately following him.
59 The Anarchy does not prove that a particular instrument concerning Edgar's dignity existed or was destroyed.
60 The hereditary limitation of the probable dignity is not preserved.
61 A dignity might descend to heirs male, heirs of the body, heirs general or according to another express or implied limitation.
62 The heirs-general model rests upon the absence of evidence for a special male-only limitation and upon the legal treatment of certain early dignities as descendible through women.
63 The heirs-general model remains a presumption rather than a recovered term of Edgar's grant.
64 If the dignity descended to heirs general, Edgar's sisters and their descendants become relevant upon failure or absence of lawful issue of Edgar's body.
65 Christina's religious life and known landed position do not establish a surviving line of issue.
66 No securely documented lawful wife or child of Edgar has been established.
67 The absence of proven issue does not justify an absolute assertion that Edgar was childless.
68 Margaret, Edgar's sister and queen of Malcolm III of Scotland, provides the principal documented collateral direction.
69 Margaret's descendants included David I of Scotland and Matilda of Scotland, wife of Henry I of England.
70 Through Matilda of Scotland, the Empress Matilda and Henry II, descent from the Wessex royal house entered the later English monarchy.
71 Descent from Margaret establishes dynastic continuity; it does not by itself prove that Edgar's probable dignity followed the same line.
72 A complete heirs-general inquiry must identify every potentially entitled branch rather than selecting one documented descent.
73 Female transmission, co-heirship, failure of issue and later consolidation must each be examined.
74 An impartible dignity cannot be divided into fractional ownership among descendants.
75 Where the right descends equally to daughters or their representatives, the dignity may become legally in abeyance until the whole right consolidates or the Crown terminates the abeyance according to applicable law.
76 Legal abeyances must be distinguished from procedural abeyance.
77 Legal abeyance concerns the hereditary condition of an extant dignity among proved co-heirs.
78 Procedural abeyance concerns a petition, question or determination that remains unresolved or suspended.
79 The 2025 official correspondence did not identify a body of equal co-heirs.
80 It therefore did not establish that Edgar's probable dignity was legally in abeyance.
81 The official correspondence preserved the alleged antecedent creation as a matter capable of forming part of a revived peerage claim.
82 The relevant conditional wording stated:
83 "That is not to say that the antecedent fact of the creation of the Earl of Oxford could not form part of a claim to the peerage itself, if you were minded to revive such a claim."

84 The sentence preserved procedural possibility without validating the alleged creation.
85 It did not determine territorial identity, hereditary limitation, survival or present entitlement.
86 The correspondence is described through institutional source, date and procedural substance; individual correspondents' names and personal information remain confidential.
87 The original communications are retained within the protected Heritage 1066 project archive.
88 The principal procedural source is John Lindsay Robert Guest, Darren John Halifax and Dennis Keith Lillee, The Petitioners' Reasoning for Suggesting a Resolution to Declare the Existence of Edgar Ætheling's Title Earl of Oxford, Which Is Presently in Abeyance, 2 December 2025. That paper records the petitioners' interpretation of the April and May 2025 correspondence.
89 The petitioners' interpretation must remain distinct from the exact institutional wording and from any formal constitutional determination.
90 No final determination of creation, survival or title direction had issued at the time represented by the disclosed record. The edition's provenance controls exclude confidential advice, personal details, internal routing information and protected adviser identities.
91 The original and Supplemental Petitions are primary sources for the modern presentation of the claim.
92 They establish the relief requested, the evidence submitted and the development of the petitioners' reasoning.
93 They do not independently prove the medieval events or legal propositions advanced within them.
94 Professor Licence's opinion adds independent historical assessment to the creation question.
95 It does not constitute a Crown determination, judicial judgment or recognition upon the Roll of the Peerage.
96 In the Matter of the Baronetcy of Pringle of Stichill [2016] UKPC 16 demonstrates that hereditary recognition may be corrected where reliable evidence disproves a previously accepted line.
97 Pringle concerned a known baronetcy created in 1683 with an express limitation to male heirs of the body.
98 Edgar's probable dignity lacks a surviving constitutive instrument and an established sequence of recognised holders.
99 Pringle is therefore methodologically relevant but does not supply a direct answer to Edgar's creation, limitation or survival.
100 Its principal relevance lies in the proposition that hereditary recognition follows proved legal descent rather than long social acceptance alone.
101 It also demonstrates that delay does not necessarily extinguish a hereditary right whose existence, limitation and succession can otherwise be proved.
102 Delay in Edgar's case has produced evidential difficulties far greater than those present in Pringle.
103 No single scientific or documentary test can resolve Edgar's complete claim.
104 The evidence must instead be assessed cumulatively across medieval narrative, political context, landholding, antiquarian tradition, legal principle, expert opinion and genealogy.
105 Cumulative evidence gains strength only when the component sources contribute genuinely distinct information.
106 Several later authors repeating one earlier attribution do not constitute several independent witnesses.
107 Historical proof may produce graduated conclusions rather than one undifferentiated verdict.
108 Edgar's Wessex identity and eligibility as ætheling are established.
109 His constitution as king after Hastings is strongly supported.
110 His completed coronation is not established.
111 His comital creation or confirmation by William is more likely than not.
112 Oxford is the leading but qualified territorial identification.
113 The original hereditary limitation is not established.
114 The heirs-general model is a reasoned presumption.
115 Permanent forfeiture is plausible but not conclusively documented.
116 Restoration, regrant or renewed accommodation remains possible but unproved.
117 Continuous legal survival is not established.
118 Complete descent to a modern holder is not established.
119 A constitutional remedy must correspond to the proposition proved.
120 Historical acknowledgment requires proof of the historical event acknowledged.
121 Recognition of Edgar's constitution as king need not determine the later history of the probable earldom.
122 Recognition of probable comital creation need not determine Oxford conclusively.
123 Recognition of Oxford as the leading historical designation need not establish survival.
124 Recognition of survival would not identify a present holder without complete title direction.
125 A declaration that a dignity historically existed differs from recognition that it remains extant.
126 A declaration of extinction differs from recognition of dormancy or legal abeyance.
127 Recognition of merger in the Crown would require proof that the whole right lawfully consolidated there.
128 Recognition of a private holder would require proof that the whole right descended to that person.
129 Recognition of legal abeyance would require identification of the co-heirs representing the entire right.
130 Constitutional relief cannot properly divert a vested hereditary right from its lawful destination merely because another descendant possesses a stronger documentary profile or greater association with the research.
131 The Crown's historical prerogative in relation to honours does not convert an impartible vested dignity into property distributable among preferred applicants.
132 The petitioners' shared participation establishes common historical interest and standing to present research.
133 It does not establish joint ownership of the alleged dignity.

134 Darren John Halifax 's position as the most senior known direct descendant within the documented Hallifax stream is genealogically significant within that stream.
135 It does not establish universal seniority among all descendants of Margaret, David I or any other potential collateral line.
136 The sovereign line may represent a leading constitutional direction if the dignity survived, descended to heirs general and ultimately consolidated within the royal succession.
137 Descent of the bloodline to the sovereign does not independently prove consolidation of the whole dignity.
138 The rules governing succession to the Crown and succession to a peerage dignity are not identical.
139 The Crown may therefore be genealogically connected to the alleged right without being proved to possess it.
140 A private line may likewise possess documented descent without being proved to represent the whole right.
141 Where present title direction cannot be proved, historical acknowledgment may remain possible without private allocation.
142 Such acknowledgment would concern Edgar's place in the constitutional and comital history of the Conquest rather than the creation of a new dignity.
143 Recognition of an antecedent dignity would differ from a fresh grant.
144 A fresh grant would derive from present royal authority and operate according to newly expressed terms.
145 Recognition of an antecedent dignity would assert that the historical honour had existed under earlier authority.
146 A fresh grant could not retrospectively supply the missing legal incidents of Edgar's probable dignity.
147 Nor could historical recognition alone revive a dignity that had become legally extinct.
148 Remedy must therefore distinguish recovery of historical truth from creation of present legal rights.
149 The most restrained constitutional outcome might acknowledge that Edgar was probably created or confirmed as an earl while reserving Oxford, survival and succession.
150 A broader historical outcome might acknowledge Oxford as the leading territorial identification while expressly withholding judgment upon present extancy.
151 A title-bearing remedy would require a substantially more complete evidential foundation.
152 Referral to a competent legal or constitutional body would not predetermine the result.
153 It would provide a forum in which historical creation, legal limitation, forfeiture, restoration and descent could be examined according to their distinct evidential burdens.
154 Official entry upon the Roll of the Peerage would require proof of a presently recognisable dignity and lawful succession.
155 The Roll does not operate as a complete historical catalogue of every honour alleged to have existed before the development of letters patent.
156 Present non-entry establishes non-recognition, not historical non-existence.
157 Conversely, historical proof would not automatically compel present entry.
158 The constitutional value of a staged determination lies in preventing a weak later proposition from erasing a strong earlier one.
159 Failure to prove a modern holder does not disprove probable creation.
160 Failure to prove Oxford conclusively does not disprove comital rank.
161 Failure to prove completed coronation does not erase Edgar's selection, recognition and limited exercise of royal authority.
162 The same method prevents the strength of an earlier proposition from being used to assume a later one.
163 Probable creations do not prove hereditary survival.
164 Dynastic descents do not prove title descent.
165 Procedural engagements do not prove official recognition.
166 Historical plausibility does not create constitutional entitlement.
167 A proportionate historical judgment may therefore be expressed in graduated form:
168 Edgar was constituted King of the English after the death of Harold II. Following his submission, William I more likely than not created or confirmed him as an earl. Oxford is the leading territorial identification of that probable dignity, but the original limitation, permanent survival and present title direction remain unresolved.
169 The first proposition rests upon contemporary or near-contemporary evidence of selection, royal designation and institutional action.
170 The second rests upon the political settlement, substantial landed provision and Professor Licence's independent expert assessment.
171 The third rests principally upon the antiquarian succession tradition and contextual probability.
172 The reservations rest upon the absence of a constitutive instrument, the interruption caused by rebellion, uncertain restoration, discontinuous use and incomplete heirs-general reconstruction.
173 This graduated judgment permits historical correction without creating an unproved modern title.
174 It also permits later evidence to alter the unresolved elements without requiring abandonment of conclusions already adequately supported.
175 The constitutional remedy, if any, remains a matter for competent authority rather than historical assertion alone.
176 The historian's task is to establish what the evidence supports and to identify what it does not support.
177 The constitutional task is to determine whether those historical findings possess any present legal consequence.
178 The genealogical task is to trace every potentially entitled branch under the applicable limitation.

179 The petitioning task is to present the evidence and requested relief accurately without treating submission as recognition.
180 The distinction among those functions protects the integrity of the inquiry.
181 Historical proof is strongest where it states probability openly, separates independent sources from repetition and preserves meaningful uncertainty.
182 Constitutional restraint is strongest where the remedy does not exceed the finding.
183 Edgar’s recovery as a constituted king and probable earl does not depend upon proof of a modern claimant.
184 A modern claimant’s success would, however, depend upon proof extending far beyond Edgar’s historical creation.
185 The enduring constitutional question is therefore not simply whether Edgar held an honour, but which consequences can lawfully follow from each level of proof.
186 The available evidence presently supports historical reconsideration more strongly than present hereditary recognition.
187 It supports probable creation more strongly than uninterrupted survival.
188 It supports Oxford as a leading identification more strongly than as an unqualified contemporary formula.
189 It supports dynastic continuity more strongly than legal title direction.
190 The proper remedy must preserve those differences.
191 Historical acknowledgments without private allocation would not decide every peerage question, but it could correct the constitutional narrative of 1066 and William’s subsequent treatment of Edgar.
192 Recognition of a current dignity or holder would require additional legal and genealogical proof not supplied by the historical creation case alone.
193 The surviving official record establishes neither final recognition nor final rejection.
194 It preserves the antecedent-creation proposition as capable of forming part of a revived claim while leaving creation, identity, survival and direction undetermined at the constitutional level.
195 That procedural position allows historical scholarship to advance without representing unresolved official questions as settled.
196 It also permits constitutional authorities to consider a proportionate response should the matter be revived.
197 Historical truth and constitutional remedy thus meet at the point of disciplined limitation: each proposition may receive no more, and no less, recognition than the evidence can sustain.

PART VIII — CONCLUSION

This page is intentionally left blank.

CHAPTER 33
Edgar II Reconsidered

Edgar Ætheling has usually occupied an uncertain place in English history. He appears as the last male representative of the royal house of Wessex, the youth selected after Harold II's death, the uncrowned claimant who submitted to William the Conqueror and the restless exile who continued to move through the politics of England, Scotland, Normandy, Byzantium and the eastern Mediterranean.[1,2,3,4]

That account contains much that is true. It is nevertheless incomplete.

It treats Edgar principally through what he failed to become. He was not crowned. He did not defeat William. He did not establish a lasting reign. He did not found a visible English dynasty in his own name. His later activities did not restore the political order displaced in 1066. Historical interpretation has consequently reduced him to a transition: the final remnant of the old monarchy before the Norman settlement became permanent.

The evidence examined in this study supports a fuller judgment.

Edgar was not merely proposed as a possible king. He was constituted King of the English by the surviving political leadership after the death of Harold. His authority did not become territorially secure, and no coronation, anointing or enthronement has been proved. Yet the absence of completed ceremonial does not erase the constitutional act that preceded his submission.

He was then not merely pardoned by William. On the balance of probabilities, he was created or confirmed as an earl and incorporated into the Norman order at a rank appropriate to his political importance. Oxford is the strongest recoverable territorial identification of that probable dignity, though the surviving evidence does not establish the title through a contemporary instrument.

Edgar should therefore be reconsidered as a constituted king, a probable earl and a continuing dynastic force.

The retrospective style Edgar II expresses that reconsideration.

Beyond the failed claimant

The phrase "failed claimant" compresses several different historical moments into one dismissive description.

Before Hastings, Edgar was the recognised Ætheling of the surviving Wessex line. After Harold's death, he became the focus of the English leadership's attempt to preserve native kingship. After submission, he became a rival dynast incorporated into the new order. During later rebellions, he again became a political resource for those resisting Norman rule. In Scotland, he remained part of a royal family whose authority and succession were intimately connected with his own actions.[5] These roles cannot be reduced to a claim that never acquired constitutional substance.

A claimant asserts a right. A king is constituted through political and institutional recognition.[6] Edgar's elevation after Hastings was not a private declaration made by his family or supporters at the edge of political life. It was undertaken by the surviving English leadership in London during the collapse of Harold's regime. The act occurred within the institutions through which kingship was recognised and government continued.[7,8]

The fact that the initiative failed does not make it unreal. Political defeat affects the duration and effectiveness of a reign. It does not necessarily invalidate the constitutional act through which the king was chosen.

The meaning of constitution as king

To say that Edgar was constituted king is not to claim more than the evidence supports:[9]

- No secure record proves that he was crowned.
- No surviving account establishes anointing.[10]
- No evidence demonstrates formal enthronement.
- No uncontested regnal instrument presents a complete royal administration exercising authority throughout England.

These absences matter.

A coronation would have given Edgar's kingship sacramental, ceremonial and public completion. Territorial control would have converted recognition into effective rule. Neither was achieved before the English leadership submitted to William.[11]

Yet medieval kingship did not arise solely at the moment a crown touched the king's head. Selection, proclamation, recognition, oath, consecration and possession could form distinct stages. The exact constitutional significance of each varied according to time and circumstance. Edgar crossed the threshold of recognition. He did not complete the process of consolidation. That distinction is more accurate than the conventional opposition between "king" and "never king."[12]

He was a king whose reign failed to become secure.

The Brand act

The confirmation of Brand as abbot of Peterborough provides the clearest surviving indication that Edgar's kingship possessed practical constitutional content.[13,14,15,16] The act matters because it moves beyond narrative description. It shows authority exercised in Edgar's name within the English polity after Hastings.

A merely prospective claimant would not ordinarily confirm an abbot as an act of royal government. The evidence does not establish a broad programme of appointments or legislation. One surviving act cannot prove a fully functioning reign.[17,18,19,20] It does demonstrate that Edgar's recognition was not wholly ceremonial or rhetorical.[21,22]
His authority was capable of producing an institutional consequence.

The Brand evidence therefore supports the conclusion that Edgar had entered kingship before submission, however briefly and incompletely.

The Peterborough tradition

Peterborough's significance extends beyond the individual appointment. Monastic communities preserved memory through chronicles, charters, lists, liturgy and institutional tradition. Their records could retain constitutional events that later political narratives simplified or omitted.

The confirmation of Brand survived because it mattered to Peterborough. It may have seemed less important to chroniclers writing the triumphal history of Norman kingship.

This imbalance illustrates a wider feature of Edgar's historical survival. Evidence of his authority appears at the edges of dominant narrative rather than at its centre. His reign was not preserved by a victorious court. It survived through scattered institutional memory.

That evidential condition helps explain why later history could acknowledge his selection while denying him the substance of kingship.

Why Edgar was selected

Edgar's selection after Hastings was not arbitrary.[23] He represented the hereditary legitimacy of the pre-Conquest royal house. His father, Edward the Exile, had been brought back to England during the reign of Edward the Confessor, apparently with dynastic succession in view. Edgar's designation as Ætheling marked him as a prince of the royal line and a potential successor.

His youth weakened his practical position but did not destroy his hereditary standing.[24]

The surviving leadership after Hastings faced a constitutional emergency. Harold and his principal military supporters had been killed. William had not yet secured London. Resistance continued, but the existing regime lacked an adult royal leader.

Edgar supplied hereditary continuity. His selection was therefore a rational constitutional act. It sought to preserve English kingship in the person of the surviving Wessex dynast while the political and military situation remained unresolved.

The attempt failed because William's military and strategic position became overwhelming, not because Edgar lacked any constitutional basis.

Age and capacity

Edgar's youth have often been used to diminish his elevation. He was probably about fifteen in 1066. By modern expectations, this may appear incompatible with independent kingship.

Medieval monarchy did not impose a universal legal rule preventing a person under a particular age from succeeding.[25]

Minority created practical problems. It could require guardianship, regency or government through leading nobles and clergy. It did not necessarily invalidate royal status.[26]

The English leadership selected Edgar knowing his age. His youth was therefore a political vulnerability rather than a constitutional nullity. It made him dependent upon advisers and protectors. It may have contributed to the speed with which support collapsed. It did not reduce the act of selection to a meaningless gesture.

Submission and the end of effective rule

Edgar's submission to William ended the immediate exercise of his English kingship.[27,28,29,30,31] It did not rewrite the preceding weeks.

The English leadership accepted William because resistance had become untenable. The submission was a transfer of effective political authority under conquest and coercive superiority.

Edgar did not abdicate through a surviving formal instrument, nor did an English constitutional body issue a judgment declaring that his prior elevation had never occurred.[32,33,34]

His rule ended because William became king in possession. This difference matters to the retrospective numbering.

Edgar's kingship was brief and incomplete. It was nevertheless distinct from a private claim never recognised by the political community.

William I's treatment of Edgar

William's conduct after submission confirms Edgar's continuing importance.[35]

The conqueror did not treat him as an anonymous youth whose supposed election had no constitutional consequence. Edgar was brought within the royal circle, taken to Normandy and accorded status appropriate to a person whose existence remained politically significant. Later rebellion proved that William's caution was justified.

Edgar could still attract support, connect English resistance with Scottish power and serve as a symbolic alternative to Norman rule.[36,37]

The most persuasive interpretation of William's initial settlement is therefore not simple mercy.[38] It was a calculated accommodation.

Probable comital incorporation

Professor Tom Licence's assessment that Edgar was probably made an earl accords with the political evidence:

- Comital rank provided a practical constitutional solution.
- It recognised Edgar's noble and dynastic status while subordinating him to William.[39]
- It converted a rival king into a tenant and magnate within the Norman hierarchy.
- It supplied honour and resources without restoring sovereignty.
- It gave William a means of presenting submission as settlement rather than annihilation.
- No surviving patent records the act. The absence of such an instrument is not unexpected for the period.

The cumulative evidence supports the conclusion that William more likely than not created or confirmed Edgar as an earl in late 1066 or early 1067.[40] That finding materially changes the interpretation of Edgar's post-Conquest life.

He was not simply retained at court. He was probably given a defined place within the new constitutional order.

Creation or confirmation

The possibility of a pre-Williamian dignity cannot be excluded. Harold II may have conferred comital rank upon Edgar before Hastings, either as part of dynastic accommodation or as preparation for future succession.[41,42,43,44,45,46]

Later tradition contains a model in which Harold granted Oxford and William confirmed it.[47] The surviving contemporary evidence does not establish that sequence securely.[48] The more defensible conclusion is therefore "created or confirmed."

This formula preserves the possibility that William recognised an earlier honour while identifying the Norman settlement as the decisive point of incorporation.[49,50] It also avoids the appearance of certainty where the evidence supports probability.

Oxford reconsidered

The Oxford designation remains the most controversial part of the proposition.[51] No surviving contemporary text describes Edgar in an unambiguous title formula as Earl of Oxford.[52]

The evidence emerges later through heraldic and antiquarian transmission. The Glover–Milles pathway, the Martyn tradition, Hume's account and subsequent repetition preserve an association between Edgar and Oxford that predates the modern petition by centuries.[53,54,55,56,57]

That tradition cannot be dismissed merely because it is late. It cannot be accepted uncritically merely because it is persistent. Its evidential strength depends upon the possibility that early-modern writers preserved access to sources or traditions now lost. Its weakness lies in uncertain source dependence and the absence of contemporary corroboration.[58]

Oxford is therefore not proved in the same manner as Edgar's royal identity. It remains the leading recoverable territorial identification of his probable earldom.

The choice of title for this study

The title *Edgar the Ætheling's Untold Story: Edgar II as Earl of Oxford* is interpretative. It does not present an unqualified official style surviving from Edgar's lifetime. "Edgar II" expresses the conclusion that his constitution as king deserves recognition within the English regnal sequence. "Earl of Oxford" expresses the conclusion that Oxford is the strongest recoverable identification of the probable comital dignity accorded after submission.

Both formulations are argued conclusions. Neither is presented as an undisputed contemporary form. The title therefore performs the work of historical reconsideration. It states the propositions the evidence most strongly supports while the text preserves their qualifications.

The case for "Edgar II"

Regnal numbering is retrospective.[59,60] English kings in the eleventh century did not use modern ordinal practice consistently in the form familiar today. The numbering of rulers developed through later historiography and constitutional convention.

Calling Edgar "Edgar II" therefore does not require proof that he used that style himself. It requires a judgment that he belongs in the regnal sequence after Edgar the Peaceful.[61] That judgment depends upon whether Edgar Ætheling became king in a constitutionally meaningful sense. The evidence supports that conclusion. He was selected by the surviving leadership. He was recognised as the dynastic successor. Royal authority was exercised in his name.

His kingship ended through submission to a victorious conqueror. The absence of coronation and territorial consolidation should be stated prominently. They limit the character of the reign. They do not erase it.

"Edgar II" is therefore a defensible retrospective designation.

Comparison with other brief and disputed reigns

English and British regnal history contains rulers whose reigns were brief, contested, incomplete or later removed from conventional lists.

The inclusion or exclusion of such figures often reflects later political and historiographical judgment rather than one universal constitutional test:[62]

- A sovereign may be recognised despite reigning only briefly.
- Another may be excluded because the accession was treated as unlawful, incomplete or superseded.

The purpose of comparison is not to force Edgar into an exact analogy. His position is distinctive. It is to show that coronation, duration and successful possession are not the only criteria by which kingship has been remembered.

The decisive question is whether a constitutionally effective accession occurred. In Edgar's case, the surviving evidence supports recognition, though not completed rule.

The absence of coronation

Coronation remains the strongest objection to the use of a regnal number. The ceremony gave medieval kingship sacred and public legitimacy. It bound the king through oath, anointing and ecclesiastical recognition. William understood its importance and secured coronation at Westminster. Edgar did not.

This difference cannot be minimised. Yet the historical record supports kings who were regarded as having succeeded before coronation. Coronation confirmed and completed kingship; it was not always the sole constitutive moment.

Edgar's position therefore requires precise language. He was constituted king but not crowned. He began a reign but did not consolidate it. He possessed recognised royal authority but not secure national control. This formulation preserves the importance of coronation without allowing its absence to nullify the political act that occurred.

The absence of an independent coinage

No independent coinage securely attributable to Edgar's brief kingship has been established.[63] Coinage would have provided powerful evidence of effective royal administration and territorial control.[64]

Its absence is unsurprising given the speed of events. Minting required command of institutions, dies, officials and distribution. Edgar's government did not survive long enough to establish such control. The absence of coins weakens any claim to a fully operational reign. It does not disprove constitution as king.

The distinction mirrors the wider argument: Edgar's kingship existed at the level of recognition and limited authority but failed to mature into stable government.

The absence of a royal chancery

Likewise, no continuing chancery or extensive diplomatic output survives from Edgar's reign.[65] This limits the documentary visibility of his authority. A secure reign would ordinarily leave writs, charters, appointments and fiscal records. Edgar's did not.

The Brand confirmation becomes especially important because it is one of the few institutional traces capable of bridging the gap between election and submission. The documentary thinness is consistent with a reign lasting only weeks under military pressure.[66] It should not be used as though Edgar had enjoyed years of peaceful government in which a large archive would naturally have accumulated.

Rebellion after submission

Edgar's later rebellions complicate his constitutional identity. Once he submitted to William, he became a subject within the Norman order.

His later resistance could therefore be treated as rebellion against the reigning king. From Edgar's own dynastic perspective, however, resistance could also be understood as an attempt to recover a kingship lost through military defeat.

These two interpretations are not mutually exclusive. William's government treated him as a rebellious subject. Supporters may have regarded him as the displaced native king. This ambiguity helps explain why Edgar remained politically dangerous. A mere former claimant with no recognised constitutional standing would have carried less symbolic force.

Scotland and dynastic continuity

Edgar's importance continued through Scotland.[67] His sister Margaret married Malcolm III and became queen. Their children formed a royal generation in which the Wessex inheritance survived.[68,69,70,71,72,73]

Edgar supported the restoration of his nephew Edgar to the Scottish throne in 1097. His intervention demonstrated that he remained a dynastic actor capable of influencing royal succession beyond England.[74,75,76]

Margaret's son David I later became the central bridge through which the line spread into sovereign and non-sovereign descendants.[77,78]

The Wessex dynasty therefore did not end with Edgar's submission. Its political centre moved.

The line entered Scotland, returned to English monarchy through Matilda and Henry I, and continued through later royal houses. This survival forms the larger constitutional context of Edgar's reconsideration.

The connection to Long Live the King

The title and argument of the companion work arise naturally from this dynastic continuity.

Edgar's reign failed to endure, but the royal house he represented did endure. His sister's descendants re-entered the English monarchy. The Wessex bloodline became part of the Norman and Plantagenet succession. Through later unions it continued into the modern Crown. At the same time, younger and female branches carried the ancestry into noble, gentry, clerical, professional and commoner families.

The Hallifax descent from David I provides one documented example.[79]

The phrase "Long Live the King" therefore acquires more than ceremonial meaning. The individual king could be displaced while the dynasty survived. The constitutional memory of Edgar could fade while his family continued to shape the monarchy. This book recovers the individual. The companion study follows the enduring line.

Royal and commoner descendants

The contrast between Charles III and the Hallifax stream illustrates the historical reach of Edgar's family. The sovereign line preserves royal office. The Hallifax line demonstrates the normalisation of royal descent through daughters, younger branches and ordinary social development.

Both descend from the same wider dynastic field. Neither fact determines the descent of Edgar's probable dignity. The comparison is valuable because it separates biological and genealogical continuity from constitutional office.[80] A royal descendant may cease to belong to a royal house. A commoner may possess repeated descents from medieval sovereigns without inheriting their crowns or titles. The dynasty survives in a wider human sense than monarchy alone.[81]

Edgar and the politics of memory

Edgar's historical diminution was not caused by one deliberate act of erasure. It emerged through the success of William's monarchy, the dominance of Norman institutional memory, the absence of a long Edgar reign, the later prestige of the de Vere Earldom of Oxford and the simplification of 1066 into a contest between Harold and William.[82]

Victorious dynasties shape historical categories. William became king. Harold became the defeated English king. Edgar became the uncrowned afterthought. That structure left little room for a constituted third king whose reign was real but ineffective.

The reinterpretation advanced here restores complexity without denying conquest.

The four kings of 1066

The year 1066 is usually remembered through three principal claimants: Harold Godwinson, Harald Hardrada and William of Normandy.

Edgar appears after the decisive battles, often as a brief epilogue. A constitutional account should instead recognise a succession of English kingship within the year. Edward the Confessor died. Harold II was selected and crowned.[83] Harold died at Hastings. Edgar was constituted king by the surviving leadership.[84] William secured submission and was crowned.

This sequence does not equate the strength or duration of each reign.[85] It recognises the constitutional transitions that occurred.[86]

Edgar stands between Harold and William not merely as a claimant, but as the final Wessex king constituted before Norman possession became secure.

Edgar II and William I

The ordinal relationship is historically striking. William is remembered as William I because his conquest founded a new ruling line in England. Edgar is not usually numbered because his kingship failed. Yet the sequence can accommodate both.

Edgar II represents the final constituted king of the old dynasty. William I represents the first king of the new Norman line. The transition between them is submission under conquest.

Numbering Edgar does not diminish William's accession. It clarifies what William displaced.

The legal meaning of conquest

Conquest established William's effective authority. It did not require the prior English constitutional acts to be treated as nonexistent. William's own claim involved a mixture of hereditary assertion, alleged designation, papal support, military victory and subsequent coronation.[87] His regime sought legitimacy through more than force.

Recognising Edgar's constitution as king makes William's settlement more intelligible. William did not simply occupy a vacant throne. He defeated Harold, overcame the succession organised after Hastings and secured the submission of Edgar and the remaining leadership. The conquest was therefore also a constitutional supersession.

Edgar's dignity after kingship

The probable earldom should be understood as a settlement of Edgar's displaced royal status. It was not compensation equal to the Crown.[88] No earldom could replace kingship. It represented incorporation at the highest practical level available beneath sovereignty. This makes the title historically significant even if it did not survive. It records the manner in which the Norman order absorbed the last male dynast of Wessex.

The territorial identity matters because it would locate that settlement within the political geography of the new kingdom. Oxford, if correctly identified, would place Edgar at a strategically important centre between Wessex, the Midlands and the approaches to London.[89,90]

The dignity and later rebellion

If Edgar later rebelled while holding the dignity, forfeiture becomes possible.[91,92] That possibility does not undermine creation. It may explain disappearance. A title can be historically real and legally short-lived.

The later reconciliation of Edgar with William and subsequent Norman kings leaves open the possibility of restoration or continued honour.[93,94] No final conclusion has been reached.

The significance for reconsideration is that Edgar's comital identity belongs to the early Norman settlement even if its hereditary future remains unresolved.[95]

The historical hierarchy of conclusions

The evidence supports a hierarchy rather than one undifferentiated verdict:

- The strongest conclusion is that Edgar was the legitimate Wessex Ætheling and was constituted King of the English after Hastings.
- The next is that William probably created or confirmed him as an earl after submission.
- The Oxford identification is persuasive but less secure.[96,97,98]
- The hereditary heirs-general model is probable but not textually proved.[99]
- The legal survival of the dignity remains unresolved.[100]

The modern holder has not been established.[101] Reconsideration does not require every proposition to carry equal confidence.[102] It requires each to be stated at the level the evidence permits.

The place of uncertainty

Uncertainty is not evidence of failure.[103] It is part of responsible historical judgment.

Edgar's life crossed a period in which political upheaval, imperfect record survival and later narrative simplification created permanent gaps. The Anarchy may have further disrupted institutional and family record keeping near the probable end of his life and succession.[104,105]

Those conditions explain why the historical reconstruction cannot achieve the documentary completeness available for later peerages. They do not justify filling gaps with certainty.

The strongest reinterpretation is therefore one that remains carefully qualified.

Edgar as king, earl and dynast

The three identities at the centre of this study are connected:[106]

- As king, Edgar embodied the final constitutional attempt to preserve Wessex rule.
- As probable earl, he embodied William's effort to subordinate and incorporate that displaced legitimacy.
- As dynast, he remained part of the family through which the old royal blood continued into Scotland, England and later Britain.
- Each identity illuminates the others.
- His royal status explains why William needed accommodation.[107]
- His comital settlement explains his continued position within the Norman world.[108]
- His dynastic family explains why his defeat did not extinguish the line he represented.[109]

The meaning of the untold story

The description "untold" does not mean that Edgar has been absent from scholarship.[110] His life has been studied, and modern historians have corrected many earlier myths. The untold element lies in the combination of constitutional propositions. Edgar has rarely been treated simultaneously as:

1. a constituted king;
2. a probable Williamian earl;
3. the possible antecedent Earl of Oxford;
4. and the dynastic link through whom the Wessex succession continued beyond political defeat.

Bringing those elements together changes the historical portrait. He ceases to be merely the boy who failed to become king. He becomes the king whose reign was overcome, the dynast whom William had to accommodate and the uncle of the royal generation through which Wessex continuity survived.

A revised historical description

A more accurate concise description of Edgar would read, Edgar Ætheling, retrospectively Edgar II, was constituted King of the English by the surviving leadership after the death of Harold II in 1066. He was not crowned and failed to establish effective territorial rule before submitting to William I. William thereafter more likely than not created or confirmed him as an earl, with Oxford remaining the strongest recoverable territorial identification. Edgar's probable dignity later disappeared from recognised use, but his dynastic line continued through his sister Margaret, Queen of Scotland.[111]

This formulation preserves the limitations while correcting the conventional reduction.

The constitutional judgment

Edgar's kingship should not be judged solely by duration. His earldom should not be dismissed solely because the patent is lost. His dynasty should not be treated as extinguished because he left no securely proven lawful issue. His historical identity should be reconstructed through the combined evidence of recognition, royal action, expert assessment, title tradition and collateral descent. The result is not certainty at every stage. It is a more coherent constitutional account.

Chapter conclusion

Edgar Ætheling should be reconsidered as more than an uncrowned claimant who briefly stood between Harold II and William I. The surviving English leadership constituted him King of the English after Hastings. His reign lacked coronation, anointing, secure territorial possession and a developed royal administration. Those limitations define its brevity and weakness. They do not erase the constitutional recognition from which it arose.

The confirmation of Brand as abbot of Peterborough demonstrates that authority was exercised in Edgar's name. His submission ended effective rule but did not make the preceding accession unreal. William's later treatment of Edgar is best understood as the calculated accommodation of a displaced king and rival dynast. On the balance of probabilities, William created or confirmed him as an earl in late 1066 or early 1067.

Oxford remains the strongest recoverable territorial identification of that probable dignity, though no contemporary title instrument makes the designation conclusive.

The retrospective name Edgar II is therefore justified as an interpretative regnal designation. It recognises constitution as king without pretending that Edgar enjoyed the secure and ceremonial reign of a crowned monarch.

His political kingship was overcome. His probable dignity became obscure. His dynasty survived through Margaret and David I, entered later sovereign succession and dispersed into non-sovereign families.

The final reconsideration may be expressed in one judgment, Edgar II was the last constituted king of the Wessex line before Norman rule became secure. He was probably incorporated into William I's settlement as an earl, most plausibly associated with Oxford. His reign was incomplete, his dignity became obscured and his personal line remains uncertain, but his constitutional and dynastic significance did not end with submission.[112,113,114,115,116]

The next chapter examines the Oxford proposition directly and determines how far that territorial identification can be sustained as the governing title of the study.

Chapter 33 endnotes

1 D. N. Dumville, "The Ætheling: A Study in Anglo-Saxon Constitutional History," Anglo-Saxon England, 8 (1979), pp. 1–33, examines the dynastic and constitutional meaning of Ætheling and the eligibility of members of the royal house for kingship.
2 Nicholas Hooper, "Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader," Anglo-Saxon England, 14 (1985), pp. 197–214, remains a principal modern study of Edgar's career and the limitations of the surviving biographical record.
3 Edgar was the son of Edward the Exile and grandson of Edmund Ironside, placing him in the direct male descent of the later West Saxon royal house.
4 Edward the Exile returned to England in 1057 but died shortly afterwards. His return has generally been understood within Edward the Confessor's unresolved succession arrangements.
5 Edgar's designation as Ætheling marked his recognised membership of the royal dynasty and his eligibility for kingship, but did not by itself determine succession.
6 Late Anglo-Saxon kingship combined hereditary qualification with political selection, recognition and the capacity to govern.
7 Harold II died at the Battle of Hastings on 14 October 1066.
8 Following Harold's death, the surviving English leadership selected Edgar and organised resistance around London.
9 Carmen de Hastingae Proelio, ed. Catherine Morton and Hope Muntz (Oxford: Clarendon Press, 1972), describes Edgar as electus and reports that news spread that London possessed a king.
10 The authorship, dating and textual history of the Carmen remain debated. Its evidence is consequently strongest when read with, rather than simply counted besides, the other surviving accounts.
11 William of Poitiers, Gesta Guillelmi, ed. and trans. R. H. C. Davis and Marjorie Chibnall (Oxford: Clarendon Press, 1998), p. 147, states that the English had established Edgar as king: regem statuerant.
12 Possible literary dependence between William of Poitiers and the Carmen limits the extent to which their testimony can be treated as wholly independent corroboration.
13 Professor Tom Licence relied upon the Carmen, William of Poitiers and the Peterborough annal in concluding that the English established Edgar upon the throne in October or November 1066.
14 The E-text of the Anglo-Saxon Chronicle, annal for 1066, records that the monks of Peterborough sent their abbot-elect Brand to Edgar for royal confirmation.
15 The Brand episode supplies the clearest surviving example of an institutional act undertaken under Edgar's authority.
16 Peterborough's approach to Edgar indicates that he was treated as capable of exercising a royal function rather than merely awaiting a possible future election.
17 The episode does not establish an extensive chancery, a durable royal administration or obedience throughout the kingdom.
18 No secure independent evidence proves that Edgar completed coronation, anointing or enthronement.
19 Professor Licence interpreted the Carmen phrase in regem sacrent as evidence of coronation or consecration.
20 The expression may also be read as referring to an intended consecration. The surviving record does not establish beyond dispute that the ceremony was completed.
21 Coronation held profound sacramental and public importance in medieval kingship, but recognition and the exercise of royal authority could precede ceremonial completion.
22 Edgar's kingship was therefore constitutionally substantive but politically incomplete: he received recognition and exercised limited authority without securing ceremonial completion or durable territorial possession.
23 Edgar was probably about fifteen years old in 1066, although his precise birth date remains uncertain.
24 His youth weakened his practical ability to command armies, construct an independent government and maintain the allegiance of leading magnates.
25 Medieval kingship was not governed by a universal rule automatically excluding a person of Edgar's age from succession.
26 Minority created questions of guardianship, counsel and effective government rather than an absolute incapacity to become king.
27 William's victory at Hastings did not give him immediate possession of London or uncontested recognition throughout England.
28 His advance after Hastings combined military pressure, devastation, strategic movement and negotiation with the surviving English leadership.
29 The sources preserve no written agreement setting out the terms upon which Edgar and the leading English figures submitted.
30 William of Poitiers and the Carmen nevertheless present submission as the outcome of negotiations conducted while London and the surviving leadership remained outside William's immediate control.
31 Edgar's submission ended the operative exercise of his kingship.
32 No surviving formal instrument records an abdication or renunciation in the terminology of later constitutional law.
33 William's coronation at Westminster on 25 December 1066 established his effective and ceremonially completed kingship.

34 William's accession superseded Edgar's defeated kingship; it did not make the prior act of recognition historically nonexistent.
35 Edgar's subsequent treatment demonstrates that William continued to regard him as a person of unusual political importance.
36 Edgar travelled to Normandy within William's orbit and remained capable of attracting opposition to Norman rule.
37 Orderic Vitalis, The Ecclesiastical History, ed. and trans. Marjorie Chibnall, 6 vols. (Oxford: Clarendon Press, 1969–1980), records Edgar's later rebellions, movements, reconciliations and participation in Anglo-Norman affairs.
38 The Anglo-Saxon Chronicle likewise records Edgar's association with resistance, exile and Scotland after his initial submission.
39 His later rebellions can be understood from William's perspective as disloyalty by a submitted subject and from Edgar's dynastic perspective as resistance by a displaced king.
40 Professor Licence concluded that, on the balance of probabilities, William created Edgar an earl at the end of 1066 or early in 1067.
41 Licence's reasoning combined Edgar's recognised kingship, William's need to secure his submission, the reported offer of comital lands to Harold and William of Poitiers's account of substantial landed provision for Edgar.
42 William of Poitiers states that William enriched Edgar with amplis terris, a phrase capable of conveying extensive, important or honourable lands.
43 The grant of substantial lands does not expressly prove an earldom, but acquires greater significance when read with Edgar's surrendered royal position and the political necessity of high-level accommodation.
44 Licence regarded it as unlikely that William would have offered Edgar anything less than comital rank in return for renouncing kingship and assisting the peaceful submission of London.
45 No surviving charter or writ identifies the precise dignity, territorial denomination, supporting estates or hereditary limitation.
46 The evidence consequently supports probable comital creation or confirmation rather than documentary certainty concerning its exact legal form.
47 The possibility of confirmation remains open because later tradition attributes an earlier grant to Harold II.
48 No contemporary evidence securely establishes a Haroldian creation.
49 William's settlement in late 1066 or early 1067 remains the strongest recoverable context for Edgar's incorporation into the comital order.
50 An earldom offered a politically coherent means of preserving Edgar's honour while subordinating his displaced royal authority to William.
51 Oxford remains a separate and less securely documented proposition.
52 Professor Licence stated expressly that there is no contemporary evidence that Edgar's earldom centred upon Oxfordshire.
53 He nevertheless concluded that the antiquarian testimony and surrounding historical considerations tended more strongly towards Oxfordshire than towards any identified alternative.
54 Robert Glover, Somerset Herald, is the earliest presently identified heraldic authority in the recoverable Edgar–Oxford tradition.
55 Thomas Milles, The Catalogue of Honor, or Treasury of True Nobility Peculiar and Proper to the Isle of Great Britaine (London, 1610), transmitted the Oxford attribution in print.
56 William Martyn, The Historie and Lives of the Kings of England, and David Hume, The History of England, belong to the later transmission of the same attribution.
57 Repetition among later writers does not constitute independent corroboration where their accounts derive from Milles, Hume or a shared intermediary.
58 The Oxford proposition gains weight from the antiquity and persistence of the attribution, but remains limited by uncertain source dependence and the absence of a contemporary title-specific instrument.
59 The designation Edgar II is retrospective. No evidence establishes that Edgar used an ordinal style himself.
60 Regnal numbering was not applied systematically in eleventh-century England in the later conventional form.
61 Edgar the Peaceful is conventionally numbered Edgar I. Recognition of Edgar Ætheling's brief kingship therefore permits the distinguishing modern form Edgar II.
62 The ordinal expresses a historiographical conclusion about Edgar's constitutional status rather than a recovered contemporary regnal formula.
63 No independent coinage securely attributable to Edgar's brief kingship has been identified.
64 Coinage would have provided strong evidence of administrative reach and effective possession, but the rapid collapse of Edgar's regime allowed little opportunity to take control of the kingdom's mints.
65 No continuing chancery or substantial body of royal instruments survives from his kingship.
66 The documentary thinness is consistent with a reign lasting only weeks under intense military pressure.
67 The confirmation of Brand assumes particular importance because it survives as a direct example of royal business conducted under Edgar's authority.
68 Edgar's sister Margaret married Malcolm III of Scotland and provided the principal dynastic route through which the Wessex royal line continued.
69 Turgot, Life of St Margaret, Queen of Scotland, remains an important near-contemporary source for Margaret's identity, marriage and family, notwithstanding its hagiographical character.

70 G. W. S. Barrow, Kingship and Unity: Scotland 1000–1306, 2nd ed. (Edinburgh: Edinburgh University Press, 2003), examines Margaret's place within the transformation of the Scottish royal house.
71 Margaret and Malcolm's children included successive Scottish kings and Edith–Matilda, who married Henry I of England.
72 Through Matilda of Scotland, the Empress Matilda and Henry II, descent from the pre-Conquest royal house entered the Plantagenet monarchy.
73 Marjorie Chibnall, The Empress Matilda: Queen Consort, Queen Mother and Lady of the English (Oxford: Blackwell, 1991), traces the dynastic position of the Empress and the succession through Henry II.
74 David I, son of Margaret and nephew of Edgar, became a principal dynastic junction in the later Scottish and wider royal descent.
75 The Anglo-Saxon Chronicle, annal for 1097, records Edgar's intervention in Scotland and the establishment of his nephew Edgar, son of Malcolm III and Margaret, as king.
76 Edgar's role in the Scottish restoration demonstrates that he remained an active dynastic figure decades after the collapse of his own English kingship.
77 The Wessex dynasty therefore survived Edgar's submission through Margaret and her descendants.
78 The royal descent through Margaret and David I later continued in both sovereign and non-sovereign lines.
79 The Hallifax descent examined in Chapter 26 provides a documented example of royal ancestry passing through daughters and collateral families into a later non-sovereign household.
80 Such genealogical continuity does not establish succession to Edgar's probable dignity, which would require separate proof of its limitation, survival and legal direction.
81 The survival of Edgar's dynasty is more securely demonstrated than the survival of his probable earldom.
82 Edgar's reduced place in later historical memory arose partly from the success of Norman kingship, the brevity of his regime, the absence of a continuing administration and the later dominance of the de Vere Earldom of Oxford.
83 The events of 1066 reveal a sequence of English kingship: Harold II was selected and crowned; Edgar was constituted after Harold's death; and William secured submission and coronation.
84 Harald Hardrada entered England as king of Norway and a claimant to the English throne, but did not obtain English constitutional recognition as king.
85 The recognition of Edgar within the English sequence does not equate his authority, duration or ceremonial completion with those of Harold or William.
86 It identifies the constitutional act that occurred between Harold's death and William's coronation.
87 William's pursuit of submission and coronation demonstrates that military victory at Hastings was not by itself regarded as the completed constitutional settlement of England.
88 The probable earldom cannot be understood as compensation equal to the Crown. It represented incorporation at the highest practical secular rank beneath kingship.
89 If Oxford was the correct territorial identification, its position between London, the Thames valley, Wessex and the Midlands would have made it a politically intelligible location for Edgar's settlement.
90 Geographical plausibility supports, but does not independently prove, the Oxford attribution.
91 Edgar's rebellion in 1068 or 1069 created a plausible occasion for forfeiture.
92 Professor Licence considered that an earldom granted to Edgar would probably have fallen forfeit through that rebellion.
93 Later reconciliation leaves open the separate possibilities of restoration, regrant or renewed accommodation.
94 No surviving instrument conclusively identifies permanent extinction, restoration or regrant of the same dignity.
95 Probable creation therefore remains historically significant even if the dignity was subsequently forfeited or extinguished.
96 Edgar's constitution as king is supported more strongly than the Oxford identification or the survival of the probable dignity.
97 Comital creation or confirmation by William is supported on the balance of probabilities.
98 Oxford remains the leading but qualified territorial identification.
99 Hereditary character and descent to heirs general remain probable legal models rather than terms recovered from a surviving grant.
100 Uninterrupted legal survival has not been established.
101 No modern holder has been established.
102 These conclusions represent different evidential stages and do not depend upon each later proposition being proved before the earlier history can be recognised.
103 The uncertainty of Edgar's death date and final circumstances contributes to the obscurity of any immediate succession.
104 His probable final years lie near the period preceding the civil conflict known as the Anarchy, during which political and documentary disruption may have further weakened the preservation of already fragile title or family records.
105 The Anarchy supplies historical context for possible record loss but does not prove that a particular instrument existed or was destroyed.
106 Edgar's three connected identities—as constituted king, probable earl and surviving dynastic figure—explain his continuing importance after the military failure of his reign.
107 His kingship explains the scale of the accommodation William required.
108 His probable comital rank explains his incorporation within the Anglo-Norman order.

109 His relationship to Margaret and her descendants explains the survival of Wessex dynastic continuity beyond his personal political defeat.
110 The description “untold story” does not imply that Edgar has been absent from modern scholarship.
111 It refers to the combined interpretation of Edgar as constituted king, probable Williamian earl, possible antecedent Earl of Oxford and dynastic bridge into later monarchy.
112 Edgar may accordingly be described as the last constituted king of the Wessex line before Norman rule became secure.
113 His reign was brief and incomplete, but his elevation went beyond candidacy or private hereditary assertion.
114 His probable earldom became obscured and its legal fate remains unresolved.
115 His dynasty continued through Margaret, David I and the later royal houses.
116 The retrospective designation Edgar II and the qualified title Earl of Oxford therefore express historical conclusions supported at different levels of probability, rather than presently recognised constitutional styles.

CHAPTER 34
The Oxford Proposition

The proposition to be judged

The Oxford proposition is not a single claim capable of being proved or disproved by one document. It is a compound historical conclusion: that Edgar Ætheling was incorporated into William I's post-Conquest order as an earl, and that Oxford is the strongest recoverable territorial identification of that probable dignity. The first limb concerns rank. The second concerns denomination. Each has a different evidential foundation and a different degree of certainty.[1,2]

The distinction is essential. Evidence capable of showing that Edgar received substantial land and comital rank does not necessarily name Oxford. Evidence preserving an Oxford tradition may be too late to prove the original act without further support. The proposition is persuasive only when the separate strands are stated at their proper weight and then considered together.[3] This chapter therefore does not seek a categorical formula that the surviving record cannot provide. It tests whether the Oxford identification remains the leading explanation after the evidence for kingship, settlement, land, title tradition, omission, Domesday, rebellion and later procedure has been separated and audited.[4]

Edgar's constitutional position before the settlement

Edgar entered the post-Hastings settlement from an exceptional position. After Harold II's death, the surviving English leadership constituted him King of the English. The Brand–Peterborough episode supplies the clearest surviving institutional exercise of authority under that settlement. No independent evidence proves that the process advanced to completed coronation, anointing or enthronement, and the designation Edgar II is therefore retrospective and interpretative.[5,6]

That restrained conclusion remains significant. Edgar was not merely one claimant among many private nobles. William received the submission of a youth who had been selected and constituted by the remaining political community as king. Any later accommodation had to address both Edgar's royal identity and the danger that his blood could be used by English or foreign opponents.[7]

The historical question is consequently not whether William treated Edgar as an ordinary defeated landholder. It is what rank, provision and controlled place within the new order were sufficient to neutralise a rival royal figure without destroying the usefulness of reconciliation.[8]

Probable comital creation or confirmation

The evidence is stronger for comital rank than for the precise territorial title. William of Poitiers records that William enriched Edgar with substantial lands and made amends for the dignity he had lost. That language does not itself contain the word earl, but it describes a settlement commensurate with Edgar's exceptional status.[9]

Professor Tom Licence's expert opinion supplies the most direct modern assessment. On the balance of probabilities, he concluded that William created Edgar an earl. The conclusion rests upon the scale of the accommodation, comparison with other post-Conquest settlements and the political logic of placing Edgar within the highest aristocratic order beneath the Crown.[10]

Creation and confirmation remain paired because the precise juridical form is not recoverable. William may have created a new post-Conquest dignity, confirmed a rank understood within the English order, or combined recognition and reconstitution in one settlement. The evidence does not justify inventing the words of a lost charter.[11]

The absence of letters patent is not adverse in the manner it would be for a later title created in a mature patent system. Earldoms existed before standardised letters patent. Public recognition, land, office, conduct and later title tradition may therefore form part of the proof of an eleventh-century dignity.[12]

Why Oxford remains the leading denomination

The Oxford attribution does not rest upon one uncontested contemporary instrument. It rests upon cumulative territorial and historiographical evidence. Oxfordshire belonged to the Wessex political geography; Edgar's family and sister Christina possessed documented associations with the region; and later title literature repeatedly placed Edgar at the head of an Oxford succession.[13]

Territorial suitability alone would be insufficient. Many districts could be made plausible after the event. Oxford becomes the leading candidate because geography is joined by a recoverable title tradition associated with Robert Glover's heraldic and genealogical research, Thomas Milles's printed catalogue and William Martyn's express testimony, later transmitted through David Hume and subsequent writers.[14,15]

The witnesses are not numerically independent merely because many later books repeat the claim. Source dependence must be reconstructed. Milles, Martyn, later antiquaries and Hume may draw directly or indirectly upon an earlier heraldic tradition. Repetition proves persistence; it does not multiply the number of independent medieval witnesses.[16]

Even with that limitation, the tradition cannot be dismissed as a modern invention of the petitioners. It predates the present research programme by centuries. Its existence requires explanation, and the combination of an early heraldic source environment, explicit printed transmission and territorial coherence gives Oxford greater weight than any competing denomination presently identified.[17]

Brooke's omission and the de Vere succession

Ralph Brooke's omission of Edgar from a later catalogue does not constitute a contemporary adjudication that no earlier dignity existed. Brooke wrote within a contested antiquarian and heraldic environment, and his catalogue cannot erase evidence that preceded or differed from his arrangement.[18]

The later de Vere Earldom of Oxford is secure and must not be confused with the alleged Edgar creation. The argument is not that the de Vere dignity lacked validity or that every later earl knowingly succeeded Edgar. It is that a later creation bearing the same territorial name does not prove that no earlier, separate dignity had existed.[19]

A title may be recreated after extinction, forfeiture, lapse, obscurity or a long interval. The existence of the de Vere creation therefore establishes a later constitutional fact, not the non-existence of a possible Williamian predecessor.[20]

Domesday and Great Chesterford

Domesday Book supplies the landholding world in which Edgar's settlement operated, but it is not a peerage roll and does not preserve every intervening grant or forfeiture between the time of King Edward and 1086. A short-lived settlement disrupted before the survey might leave little transparent trace.[21]

Great Chesterford remains the most prominent disputed Domesday point. Older authorities read or expanded the relevant antecessor as Earl Edgar; modern prosopographical work generally prefers Ælfgar of Mercia. The wider estate pattern gives the modern identification substantial force.[22]

The two-earl interpretation, under which Essex and Cambridgeshire material might preserve distinct holders, remains intellectually possible but unproved. Dr Jacqueline Harmon's work can support the tenability of a more complex estate history, but it is not a dedicated palaeographical judgment establishing Edgar Ætheling as the named earl.[23]

Great Chesterford is therefore disputed corroboration. If the older identification were established, it would strongly reinforce Edgar's comital rank and substantial landed position. If the modern Ælfgar identification is correct, the wider creation argument remains intact because it does not depend upon this entry. Great Chesterford cannot by itself establish Oxford, hereditary limitation, survival or present entitlement.[24]

Land, office and dignity

The Oxford proposition depends upon keeping land, revenue, office and dignity distinct. Substantial lands could support comital rank without being identical to the title. Local governmental authority could be withdrawn while an incorporeal hereditary dignity survived, just as later possession of former lands would not automatically carry the dignity.[25]
This distinction prevents both overstatement and premature extinction. The loss of estates after rebellion demonstrates practical dispossession. It does not, without a legally effective act, answer whether a separate personal dignity was permanently extinguished.[26]

Later legal language—fee simple, heirs general and incorporeal hereditament—provides an analytical model, not the recovered vocabulary of William's act. The original limitation is missing. A broad hereditary model may be more plausible than a life-only courtesy, but no male-only or heirs-general clause may be invented.[27]

Rebellion, reconciliation and legal survival

Edgar's rebellions and foreign alignments gave William ample reason to confiscate land, remove office and break the material base from which opposition could be organised. Practical dispossession is strongly supported. Permanent legal forfeiture of a separate dignity is not recorded in an express surviving act.[28]

The reconciliation of 1074 complicates any automatic-extinction model. Edgar re-entered William's peace and appears thereafter to have possessed estates or revenues sufficient to maintain aristocratic standing. The settlement may have involved restoration, regrant, confirmation or political accommodation without full title restoration; the sources do not decide among those alternatives.[29]

Tinchebray produced another defeat and capture, yet Henry I released Edgar. Clemency and renewed liberty establish neither restoration nor extinction. They show that Edgar's political status could be altered repeatedly without a surviving instrument defining the legal fate of every earlier right.[30]

The responsible conclusion is therefore conditional. The dignity may have been extinguished, suspended, restored, regranted, left dormant, placed in hereditary abeyance or absorbed through later constitutional developments. The available evidence does not authorise selection of one outcome as certain.[31]

Descent and modern procedure

No secure lawful wife or issue of Edgar has been identified, but the book does not state categorically that he was childless. Christina's position must be examined before the collateral direction moves through Margaret. If Edgar held a hereditary dignity descendible to heirs general, if no closer lawful line existed and if the dignity survived, Margaret's descendants form the principal recoverable collateral field.[32]

Royal descent and title descent are not identical. The modern sovereign could represent a leading constitutional destination only if the whole hereditary right survived and consolidated in that line. Charles III is not established as holder of Edgar's alleged dignity. The same restraint applies to every petitioner and every documented collateral descendant.[33]

The original and Supplemental Petitions are advocacy and procedural sources. They organise evidence and show how the historical case was presented, but they do not independently prove the medieval propositions they assert. Official correspondence preserved the alleged antecedent creation as something capable of forming part of a revived peerage claim; it did not recognise the title, establish survival or identify a holder.[34]

The phrase procedural abeyance must remain separate from hereditary abeyance. The former describes an unresolved administrative or petitioning position. The latter describes a dignity whose equal hereditary rights are divided among co-heirs. No official correspondence transformed the procedural history into a legal finding of hereditary abeyance.[35]

Graded findings on Oxford

Several findings are secure or strongly supported: Edgar's royal identity; his constitution as king after Hastings; the absence of proof of completed coronation; his submission to William; substantial post-submission provision; the existence of a persistent early-modern Oxford tradition; the later de Vere creation; and the present absence of official recognition of an Edgar title.[36]

The balance of probabilities supports a further conclusion: William created or confirmed Edgar as an earl in late 1066 or early 1067. Oxford is the leading territorial identification of that probable dignity because the title tradition and regional evidence converge more strongly there than elsewhere.[37]

Several propositions remain possible but unresolved: the exact terms of creation, the complete supporting estate package, the original hereditary limitation, formal forfeiture, restoration or regrant, survival after Edgar, merger, abeyance and ultimate consolidation.[38]

Other propositions are not established: a completed coronation; a contemporary instrument naming Edgar as Earl of Oxford; continuous possession of Great Chesterford; an unbroken series of recognised holders; a male-only remainder; a known spouse or lawful issue; and a modern holder.[39]

The Oxford proposition survives scrutiny because it does not require those unproved propositions to be treated as facts. Its force lies in the narrower conclusion that Oxford is the best-supported territorial explanation of a probable comital settlement whose exact documentary form has been lost.[40]

Chapter conclusion

The evidence does not permit the sentence that Edgar was conclusively and continuously Earl of Oxford in the same documentary sense as a later patent-holder. It does permit a more carefully framed historical judgment.[41]

Edgar was constituted King of the English after Hastings and later submitted to William. William more likely than not created or confirmed him as an earl as part of the settlement that followed. No surviving contemporary instrument provides the territorial formula, but the combined geographical, heraldic, antiquarian and historiographical record makes Oxford the leading identification.[42,43]

That conclusion is qualified, not provisional in the sense of being empty. It is the strongest judgment the recoverable evidence presently supports. The final chapter now states what follows—and what does not follow—from that judgment.[44]

Chapter 34 Notes

1 The distinction between comital rank and territorial denomination governs the Book's treatment of the case. Professor Tom Licence's opinion principally addresses probable comital creation; Oxford requires a separate assessment.
2 No surviving contemporary instrument combines Edgar, comital rank and Oxford in one secure title-specific formula.
3 William of Poitiers, later narrative evidence, the title tradition and modern expert opinion perform different evidential functions and must not be treated as interchangeable witnesses.
4 The balance-of-probabilities method permits a historical finding while preserving the absence of a title-specific constitutive instrument.
5 The Anglo-Saxon Chronicle, especially the Peterborough tradition, and the wider post-Hastings narrative evidence support Edgar's elevation by the surviving English leadership.
6 The Brand episode is treated as institutional activity under Edgar's brief kingship. It does not prove completed coronation, anointing or enthronement.
7 The designation Edgar II is used retrospectively and interpretatively to identify the constitutional episode, not as a universally attested contemporary regnal style.
8 Edgar's submission at Berkhamsted ended operative kingship and enabled William to complete his own ceremonial accession.
9 William of Poitiers records substantial compensation or enrichment and amends for lost dignity. The text supports a settlement of exceptional scale without naming Oxford.
10 Professor Tom Licence, expert opinion dated 12 September 2024, concluded on the balance of probabilities that William created Edgar an earl. His opinion treats Oxford as a distinct and less certain issue.
11 The phrase created or confirmed preserves uncertainty about the precise juridical form of the post-Conquest settlement.
12 Palmer, Gadd, Selden and the history of early earldoms demonstrate why lack of later-form letters patent is not a decisive objection to an eleventh-century dignity.
13 The Oxfordshire chapters treat family, territorial and political associations as contextual evidence. Such evidence cannot alone create the title.
14 Robert Glover's heraldic and genealogical research is the leading recoverable early source environment for the later Oxford attribution.
15 Thomas Milles and William Martyn preserve explicit printed title testimony; David Hume and later writers transmit the tradition further.
16 A chain of dependent citation demonstrates persistence but cannot be counted as multiple independent confirmations of the original creation.
17 The title tradition long predates the modern Heritage 1066 petitions and therefore cannot be dismissed as a recent advocacy invention.
18 Brooke's omission is later negative evidence, not a contemporary royal or judicial determination of Edgar's rank.
19 The de Vere Earldom of Oxford was a later creation. Recognition of a possible earlier creation does not diminish the legal history of the de Vere dignity.
20 English peerage history contains recreated territorial titles; a later creation does not logically prove the absence of every earlier dignity bearing the same place-name.
21 Domesday records fiscal and tenurial conditions, principally at the time of King Edward and in 1086, rather than a continuous narrative of every intervening settlement.
22 Older Great Chesterford readings identify Earl Edgar; modern prosopographical reconstruction generally favours Ælfgar of Mercia.
23 Jacqueline Harmon's related estate work may support the tenability of a two-holder reconstruction, but it is not a conclusive identification of Edgar Ætheling.
24 Great Chesterford is retained as disputed corroboration and is not required to sustain probable comital creation.
25 Blackstone's later classification of dignities as incorporeal hereditaments is used analytically to distinguish title from corporeal land and revenue.
26 Practical dispossession may be demonstrated through land loss and cessation of power without deciding the legal extinction of a separate dignity.
27 Fee simple and heirs general are later explanatory concepts. The original limitation cannot be reconstructed merely from the absence of a patent.
28 The northern rebellion, Scandinavian intervention and subsequent suppression provide the historical basis for probable confiscation and loss of active authority.
29 The Anglo-Saxon Chronicle's 1074 sequence supports reconciliation, while PASE and later reconstruction support renewed landed or aristocratic provision.
30 Orderic Vitalis and the Tinchebray narrative support Edgar's capture and release; neither event records formal title treatment.
31 Dormancy, abeyance, merger, forfeiture, surrender, restoration, regrant and extinction are distinct possible legal conditions and must not be collapsed into the single fact of non-use.
32 No secure contemporary or near-contemporary evidence identifies a lawful wife or issue of Edgar. Historical silence is not equivalent to biological certainty.

33 The collateral direction through Christina and Margaret is conditional upon hereditary survival and the absence of a closer lawful line.
34 The original petition, the 2024 Supplemental Petition and the December 2025 paper are procedural and advocacy records, not independent medieval evidence.
35 Official correspondences concerning the possible relevance of an antecedent creation was procedurally meaningful but substantively non-determinative.
36 The secure findings are stated independently from the probable and possible conclusions so that later uncertainty does not erase the historical core.
37 The probable-comital conclusion does not depend upon Great Chesterford or a conclusive Oxford formula.
38 The unresolved propositions concern the missing constitutive terms and the later legal history of the dignity.
39 No person living at publication is established as holder of Edgar’s alleged dignity.
40 The Oxford conclusion is an evidential ranking: it identifies the strongest recoverable territorial candidate, not an unqualified contemporary formula.
41 The absence of a later-style documentary chain prevents a judgment equivalent to recognition of a patent-created peerage.
42 The final formulation preserves the separate findings of kingship, submission, probable comital creation and qualified territorial identification.
43 Oxford’s leading position rests upon convergence, not upon any single decisive source.
44 The final chapter applies these graded findings without enlarging their degree of certainty.

This page is intentionally left blank.

CHAPTER 35
Concluding Judgment

The nature of the judgment

The purpose of a concluding judgment is not to turn accumulated possibility into certainty. It is to state which propositions the evidence establishes, which it supports on the balance of probabilities, and which remain unresolved. The inquiry has ranged across royal succession, conquest settlement, landholding, title literature, peerage law, genealogy and modern procedure. Those fields converge, but none can be allowed to prove another by assumption.[1]

The judgment is historical and evidential. It is not a royal determination, a decision of the Committee for Privileges, an entry upon the Roll of the Peerage or a declaration of modern entitlement. Its authority lies in the transparent grading of the recoverable record.[2]

Kingship

After Harold II's death, the surviving English leadership selected and constituted Edgar as King of the English. His age, military weakness and the rapid advance of William prevented that kingship from becoming securely effective across the kingdom. The Brand–Peterborough episode nevertheless shows that the settlement was more than a private nomination without institutional consequence.[3]

No secure evidence proves that Edgar was crowned, anointed or enthroned. The book therefore distinguishes constitution as king from completed ceremonial kingship. Edgar II remains a legitimate retrospective designation for the episode, provided it is not misrepresented as an uncontested contemporary regnal style.[4]

Edgar's submission did not rewrite the historical fact that he had been constituted king. It ended his operative kingship and enabled William's coronation. Later rebellion and reconciliation altered his political position again, but they did not erase his Wessex identity.[5]

The post-Conquest dignity

William's treatment of Edgar is best understood as accommodation of a rival royal figure. The evidence that Edgar received substantial lands and amends for lost dignity, considered with the structure of the early Anglo-Norman aristocracy and Professor Licence's opinion, makes comital creation or confirmation more likely than not.[6]

The precise act is lost. The judgment does not supply imaginary charter words, a date more exact than late 1066 or early 1067, or a remainder that no source preserves. Created or confirmed remains the correct formula.[7]

Oxford is the leading territorial identification. That finding is supported by regional context and by a long title tradition associated with Glover, Milles, Martyn and later transmission. It remains qualified because no surviving contemporary instrument joins Edgar, comes and Oxford in one secure formula.[8]

Great Chesterford does not decide the matter. The older Earl Edgar reading remains part of the historiography, while the modern Ælfgar identification carries substantial weight. The general comital conclusion survives either outcome.[9]

Dispossession and survival

Edgar was practically dispossessed after rebellion. William broke the material capacity from which he could sustain royal or comital power. Land, office, revenue and followers were vulnerable to confiscation and redistribution.[10]

Practical dispossession is not identical to permanent legal extinction of an incorporeal dignity. No surviving act expressly records final forfeiture of the title. Conversely, no surviving act expressly restores it. The 1074 reconciliation and later aristocratic standing make simple automatic extinction less certain, but they do not prove complete restoration.[11]

The legal fate of the dignity therefore remains unresolved. Forfeiture, restoration, regrant, accommodation, dormancy, abeyance, merger and extinction are possible analytical models. The evidence presently establishes the historical events more securely than their technical legal effect.[12]

Hereditary character and descent

The original hereditary limitation has not survived. A durable hereditary dignity is more plausible than a title bestowed for life only, but later legal classifications must be used cautiously. In the absence of a proved special restriction, heirs general provide the leading model rather than an invented male-only remainder.[13]

The dignity, if it survived, would remain one and impartible. Equal co-heirs could produce hereditary abeyance; they would not own fractional earldoms. The existence of many descendants of the Wessex family does not create many holders.[14]

No securely established lawful wife or issue of Edgar has been identified. Christina must be considered before the line moves through Margaret. If Edgar died without lawful issue, Christina left no issue, and the dignity survived under a broad hereditary limitation, Margaret's descendants form the principal recoverable collateral direction.[15]

That direction does not establish present ownership. Royal succession and title succession may coincide, separate or reunite. The sovereign is only a possible constitutional destination if the whole right lawfully consolidated there. The Hallifax pedigree and the other petitioner lines establish documented descent within their stated routes, not universal seniority or title possession.[16]

Petition and official engagement

The original petition and Supplemental Petition brought the historical question before constitutional authority and produced a substantial evidential record. Their assertions remain advocacy until independently supported.[17]

Official correspondence preserved the possibility that the alleged antecedent creation could form part of a revived peerage claim. It did not recognise the creation, determine Oxford, establish survival, place the dignity on the Roll or identify a holder.[18]

Procedural abeyance describes the unresolved treatment of the petitioning question. It is not a finding that the peerage itself is in hereditary abeyance among co-heirs. The distinction is central to any future use of the correspondence.[19]

Pringle supplies a modern illustration of proof on the balance of probabilities in hereditary succession, but it concerned a known baronetcy with an express male-line limitation. Its method is relevant; its facts do not decide Edgar's alleged dignity.[20]

Answers to the principal questions

- Was Edgar eligible for kingship? Yes. He was the surviving male representative of Edmund Ironside's line and a recognised ætheling.[21]
- Was he constituted King of the English after Hastings? Yes, on the surviving narrative and institutional evidence.
- Was completed coronation proved? No.[22]
- Did William probably create or confirm him as an earl? Yes, on the balance of probabilities.
- Is the wording and complete limitation of that act preserved? No.[23]
- Is Oxford the leading territorial identification? Yes.
- Is it conclusively proved by a contemporary title-specific instrument? No.[24]
- Was Edgar practically dispossessed after rebellion? Yes.
- Was permanent legal extinction of the dignity proved? No.
- Was full restoration proved? No.[25]
- Could a surviving broad hereditary dignity descend through women and collateral kin? Yes. Has the entire legal descent to one modern person been established? No.[26]
- Has Charles III, Darren John Halifax, John Lindsay Robert Guest, Dennis Keith Lillee or any other living person been established as holder? No.[27]
- Has the historical inquiry nevertheless established a serious antecedent proposition worthy of preservation? Yes.[28]

Edgar reconsidered

Edgar's importance does not depend solely upon the survival of an earldom. He was the final male dynastic focus of the old royal house, a constituted king whose rule was overtaken before ceremonial completion, a recurrent figure in English, Scottish and Norman politics, a military leader in the Scottish restoration of 1097, a counsellor of Robert Curthose and a survivor into the reign of Henry I.[29]

His career illuminates the transition from Wessex to Norman rule more clearly when it is not reduced to cowardice, failure or a footnote. Submission, rebellion, exile, reconciliation, service and survival were rational responses to changing political conditions, even when they did not restore his Crown.[30]

The Oxford proposition adds a further dimension. It suggests that William's settlement may have incorporated Edgar at comital rank and that a later tradition remembered Oxford as the territorial name. The proposition does not need to be inflated into a modern title declaration in order to alter the historical picture.[31]

Historical acknowledgment and modern legal entitlement are different remedies. The evidence may justify recognition in scholarship that Edgar was probably made an earl and that Oxford is the leading identification even while legal survival and present direction remain unresolved.[32]

Final judgment

The final judgment of this Book is therefore stated in controlled form.[33]

Edgar Ætheling was constituted King of the English after the death of Harold II and exercised at least one surviving act of institutional authority. No secure evidence proves completed coronation, anointing or enthronement. Edgar II is a retrospective and interpretative designation for that brief kingship.[34]

Following submission, William I more likely than not created or confirmed Edgar as an earl in late 1066 or early 1067. Oxford is the strongest recoverable territorial identification of that probable dignity, but no surviving contemporary instrument establishes the complete title formula or hereditary limitation.[35]

Edgar was later practically dispossessed. Permanent forfeiture, restoration, regrant and survival remain unresolved. If a hereditary dignity survived without special limitation, heirs general and the collateral field through Christina and Margaret provide the appropriate direction of inquiry. No modern holder has been established.[36] The title remains unrecognised. The history no longer needs to remain unexamined.[37]

Chapter 35 endnotes

1 The evidential grades used throughout are secure or strongly supported, probable, possible but unresolved, and unproved.
2 No part of this book constitutes a formal peerage adjudication or legal recognition of a modern holder.
3 The Anglo-Saxon Chronicle and the Peterborough evidence support Edgar's elevation and the Brand episode.
4 The absence of proof of coronation is maintained against later categorical formulations of anointing, enthronement or completed ceremonial kingship.
5 Submission ended operative kingship but did not erase the historical constitution of Edgar as king.
6 William of Poitiers, the political structure of the settlement and Professor Licence's opinion support probable comital creation.
7 Creation or confirmation preserves the missing juridical form and avoids reconstructing a lost instrument.
8 Glover, Milles, Martyn, Hume and the later tradition support Oxford as a leading but qualified identification.
9 Great Chesterford remains disputed corroboration rather than the foundation of the conclusion.
10 The historical record strongly supports loss of Edgar's practical territorial and military base after rebellion.
11 The 1074 reconciliation supports renewed accommodation but does not prove restoration of an identical dignity or estate package.
12 The legal categories describe alternative consequences; the surviving medieval record does not select one conclusively.
13 Fee simple and heirs general are later analytical concepts rather than the text of William's act.
14 An impartible dignity may be in abeyance among co-heirs without being divided into fractional ownership.
15 No secure spouse or lawful issue is established; Christina's line must be excluded before Margaret's descendants become the principal collateral direction.
16 The sovereign and Hallifax directions are constitutional and genealogical possibilities, not findings of title ownership.
17 Petition documents are used as procedural and advocacy sources, with underlying historical propositions tested independently.
18 The quoted official antecedent-fact wording preserved a possible route to a peerage claim but did not recognise the title.
19 Hereditary abeyance and procedural abeyance are distinct.
20 In re Pringle of Stichill [2016] UKPC 16 is methodologically relevant to proof but concerned a materially different hereditary instrument.
21 Edgar's royal eligibility is secure from his paternal descent and recognised designation as Ætheling.
22 The constitution-as-king finding is separated from the unproved ceremonial completion.
23 Professor Licence's opinion supports the probable-comital finding but does not establish Oxford, limitation, survival or modern direction.
24 The Oxford conclusion is an evidential ranking rather than an unqualified contemporary title formula.
25 Practical dispossession, permanent forfeiture and restoration are separate questions.
26 Female and collateral transmission are legally intelligible under a broad hereditary model, but every intervening succession and co-heirship would require proof.
27 No modern holder is asserted by the Book.
28 The historical antecedent remains worthy of preservation even without legal recognition.
29 Orderic Vitalis, John of Worcester, William of Malmesbury and the Anglo-Saxon Chronicle preserve different phases of Edgar's later career.
30 The chapter rejects moralised simplifications of Edgar's repeated accommodations and reversals.
31 The Oxford proposition modifies the historical interpretation of William's settlement without determining a modern claim.
32 Historical acknowledgments can be expressed in scholarship without purporting to grant or revive a peerage.
33 This sentence introduces the final synthesis rather than a new evidential proposition.
34 The kingship finding remains controlled by the absence of proof of completed ceremony.
35 The comital and Oxford conclusions retain their separate degrees of certainty.
36 The survival and descent questions remain expressly conditional.
37 The concluding sentence distinguishes current non-recognition from historical inquiry.

This page is intentionally left blank.

SUMMARY FINDINGS

- Edgar Ætheling was the surviving male representative of Edmund Ironside's royal line in 1066.
- After Harold II's death, the surviving English leadership constituted Edgar King of the English.
- The Brand–Peterborough episode is the clearest surviving institutional exercise of authority under Edgar's brief kingship.
- No secure independent evidence proves completed coronation, anointing or enthronement.
- Edgar II is a retrospective and interpretative designation.
- Edgar's submission ended operative kingship and enabled William I's coronation.
- William I more likely than not created or confirmed Edgar as an earl in late 1066 or early 1067.
- The exact constitutive words, territorial formula and hereditary limitation have not survived.
- Oxford is the leading territorial identification of Edgar's probable dignity.
- The Oxford conclusion rests on convergence of regional context and a recoverable title tradition, not on one decisive contemporary instrument.
- Great Chesterford is disputed corroboration and is not required to sustain probable comital creation.
- Land, office, revenue and incorporeal dignity must be kept analytically distinct.
- Edgar was practically dispossessed after rebellion.
- Permanent forfeiture, restoration, regrant and legal survival remain unresolved.
- A broad hereditary model is more plausible than an unproved life-only courtesy, but the original limitation is missing.
- A dignity is one and impartible; equal co-heirs could produce abeyance, not fractional title ownership.
- No securely established lawful wife or issue of Edgar has been identified; the book does not state categorically that he was childless.
- Christina's position must be audited before collateral direction proceeds through Margaret.
- Margaret and her descendants form the principal recoverable collateral field if the conditional premises are met.
- Royal descent and title descent are not identical.
- The sovereign may be a constitutional destination only if the whole hereditary right survived and consolidated there.
- The Hallifax and other petitioner pedigrees establish documented descent within their stated lines, not title ownership.
- The petitions are advocacy and procedural sources, not independent proof of medieval facts.
- Official correspondence did not recognise the dignity, establish survival or identify a holder.
- No modern holder has been established.
- Historical acknowledgment of probable comital creation and qualified Oxford identification does not itself create modern legal entitlement.

This page is intentionally left blank.

EVIDENTIAL MATRIX

The matrix separates the principal propositions, their present evidential grade, the main supporting material and the controlling limitation. It is a reader's map of the reasoning rather than a substitute for the chapters.

Proposition	Finding	Principal basis	Controlling limitation
Royal eligibility	Secure	Direct Wessex descent; ætheling designation	Eligibility did not guarantee succession.
Constitution as King	Strongly supported	Post-Hastings narrative; Brand–Peterborough episode	Completed coronation not proved.
Completed coronation	Unproved	No secure independent ceremonial record	Do not infer anointing or enthronement.
Edgar II designation	Interpretative	Retrospective numbering of brief kingship	Not a universally attested contemporary style.
Comital creation or confirmation	Probable	Substantial settlement; lost dignity; Licence opinion	Exact act and wording missing.
Oxford denomination	Leading but qualified	Regional context; Glover–Milles–Martyn tradition	No contemporary title-specific formula.
Great Chesterford identification	Disputed	Older Earl Edgar reading; modern Ælfgar reading	Cannot carry Oxford or survival alone.
Practical dispossession	Strongly supported	Rebellion, land loss, destruction of power base	Does not automatically prove title extinction.
Permanent forfeiture	Possible, unresolved	Rebellion and later non-recognition	No express surviving forfeiture act.
Restoration or regrant	Possible, unresolved	1074 reconciliation and later standing	No restoration or regrant instrument.
Hereditary character	Probable model	Early durable honour; later analytical law	Original limitation missing.
Heirs general	Leading conditional model	No proved special male-only restriction	Not the wording of a recovered grant.
Collateral direction	Conditional	Christina then Margaret and descendants	Closer lawful issue and every co-heirship must be excluded.
Modern holder	Not established	No complete legal descent and no official recognition	No person is declared holder.
Official status	Unrecognised	No Roll entry or final constitutional determination	Procedural engagement was non-determinative.

This page is intentionally left blank.

CHRONOLOGY

Date	Event and evidential significance
c. 1052	Probable birth of Edgar during his family's continental exile.
1057	Edward the Exile returns to England with Agatha, Edgar, Margaret and Christina; Edward dies soon afterwards.
5 January 1066	Edward the Confessor dies.
14 October 1066	Battle of Hastings; Harold II is killed.
October–December 1066	English leadership selects and constitutes Edgar king; Brand confirmation belongs to this brief governmental phase.
December 1066	Edgar and the remaining leadership submit to William; William is crowned at Christmas.
Late 1066–early 1067	Probable comital creation or confirmation and substantial settlement under William I.
1067	Edgar accompanies or is associated with William's Norman return and the controlled English elite.
1068–1071	Rebellion, northern resistance, Danish intervention and destruction of Edgar's practical base.
1072	William's Scottish expedition and the Abernethy settlement reduce Malcolm III's freedom to sponsor Edgar.
1074	Flanders, French offer of Montreuil, shipwreck and reconciliation with William.
1086	Domesday inquiry; Edgar departs with royal permission and a large knightly company for Apulia.
1087	William I dies; Edgar becomes closely associated with Robert Curthose.
1091	Anglo-Norman and Scottish crisis; Edgar acts as intermediary within the royal family.
1093	Malcolm III and Margaret die.
1097	Edgar leads the expedition that establishes his nephew Edgar as King of Scots.
c. 1098–1102	Eastern expedition traditions connect Edgar with Jerusalem, Constantinople and imperial courts; exact itinerary remains disputed.
1100	Henry I becomes king and marries Edgar's niece Edith-Matilda.
1106	Battle of Tinchebray; Edgar is captured with Robert Curthose and later released.
c. 1125	William of Malmesbury records Edgar alive in old age.
16th–17th centuries	Glover, Milles and Martyn preserve or transmit the Oxford title tradition.
18th–19th centuries	Hume and later historical literature continue the tradition, with varying source dependence.
2018	Original progressive manuscript completed on 28 August.
12 September 2024	Professor Tom Licence gives expert opinion supporting probable comital creation.
2024	Supplemental Petition addresses the alleged 1067 creation and related issues.
2025	Official correspondence preserves the possibility of an antecedent-creation argument but makes no final determination.
2026	Book consolidated within the Heritage 1066 Encyclopædia Foundation Edition programme.

This page is intentionally left blank.

GENEALOGICAL DIRECTION INQUIRY TABLES

The following tables show directions of inquiry only. They do not declare succession to a surviving dignity.

Immediate collateral direction

Stage	Direction and qualification
Edgar Ætheling	No securely established lawful issue; absolute childlessness is not asserted.
Christina of Wessex	Religious life and no credible issue presently identified; her line must nevertheless be audited first.
Margaret of Wessex	Principal recoverable collateral direction if Edgar and Christina left no lawful issue.
Margaret's children	Multiple branches require examination; David I is important but cannot be isolated without testing siblings.
Later royal houses	Royal succession and private-title descent may coincide, separate or reunite.
Modern sovereign	Possible constitutional destination only if the whole right survived and consolidated there; not established as holder.

Documented petitioner directions

Direction	What the record establishes	What it does not establish
Guest stream	Documented genealogical descent and research standing within the submitted line.	Universal seniority or title ownership.
Hallifax stream	Darren John Halifax is the most senior known direct descendant within the documented Hallifax stream.	That he is Edgar's universal heir general or holder.
Lillee stream	Documented collateral royal descent within the submitted line.	Priority over all other heirs or title ownership.
Sovereign direction	Extensively documented descent from Margaret through royal houses.	Automatic transmission of Edgar's private dignity with the Crown.

This page is intentionally left blank.

PETITION CHRONOLOGY

Stage or date	Record	Evidential status
Original petition	Presented genealogical and historical case concerning Edgar and the alleged dignity.	Advocacy source; did not itself prove creation or title direction.
24 September 2024	Supplemental Petition archival version and supporting record.	Expanded issues of creation, Oxford, hereditary character and descent.
12 September 2024	Professor Tom Licence expert opinion.	Supported probable creation of Edgar as an earl; did not decide Oxford, survival or holder.
23 April 2025	Official constitutional-office correspondence.	Procedural engagement; no recognition of title.
1 May 2025	Government-department "Earldom of Oxford" email.	The creation question remained unresolved.
Late 2025	Petitioners' paper separated antecedent creation from personal-title descent.	Recorded advocacy interpretation of official wording.
At publication	No final determination issued.	Creation, survival and title direction remain legally unresolved.

This page is intentionally left blank.

TITLE-TRADITION STEMMA

The most likely recoverable transmission is:

Robert Glover's heraldic and genealogical research → Thomas Milles's printed catalogue and related early-modern title literature → William Martyn's express testimony → later seventeenth- and eighteenth-century transmission → David Hume directly or through an intermediary → nineteenth- and twentieth-century historical repetition → modern recovery and audit.

This stemma expresses source dependence, not certainty about every link. The Oxford attribution does not begin with the modern petitions and does not depend solely upon Hume. Its strongest recoverable early foundation lies in the Glover–Milles–Martyn environment.

Repetition is evidence of persistence, but citation frequency is not a substitute for independent source authority.

This page is intentionally left blank.

APPENDICES

This page is intentionally left blank.

Appendix A — Evidential Vocabulary

Grade	Meaning
Secure or strongly supported	The recoverable evidence establishes the proposition with little material contrary evidence.
Probable	The proposition is more likely than not on the available evidence.
Possible but unresolved	The proposition is historically or legally intelligible, but the evidence does not select it over alternatives.
Unproved	The evidence presently does not establish the proposition.
Conditional	The proposition follows only if specified preceding premises are established.

This page is intentionally left blank.

Appendix B — Source Hierarchy

Primary and near-contemporary narrative, administrative and documentary sources are distinguished from later antiquarian, heraldic, legal and genealogical interpretation. Expert opinion is used to assess historical probability; it does not replace the underlying evidence. Petitions and official correspondence are procedural sources and are not treated as independent proof of medieval facts.

This page is intentionally left blank.

Appendix C — Confidentiality and Archive Control

Private contact information, named protected correspondents, internal routing, confidential advice, protected adviser identities and unpublished administrative reasoning are excluded. Publication-facing references identify the responsible office, department, date and procedural substance where necessary. The original correspondence remains preserved within the protected Heritage 1066 project archive.

This page is intentionally left blank.

Appendix D — Questions Remaining Open

- The exact constitutive act and territorial formula of Edgar's probable comital settlement.
- The complete estate package supporting Edgar after submission and after the 1074 reconciliation.
- A final palaeographical and prosopographical resolution of the Great Chesterford entry.
- The precise source relationships among Glover, Milles, Martyn, Hume and later title literature.
- Authoritative exclusion of any lawful issue of Edgar and final audit of Christina's line.
- Every intervening co-heirship and possible consolidation in a complete heirs-general descent.
- The legal effect of rebellion, reconciliation and Tinchebray upon any separate dignity.
- Any future constitutional determination of antecedent creation, survival or title direction.

This page is intentionally left blank.

BIBLIOGRAPHY

Primary and early sources

- The Anglo-Saxon Chronicle, versions D and E, including the Peterborough tradition.
- John of Worcester, Chronicon ex Chronicis.
- Orderic Vitalis, The Ecclesiastical History, ed. and trans. Marjorie Chibnall, 6 vols (Oxford: Clarendon Press, 1969–1980).
- William of Malmesbury, Gesta Regum Anglorum: The History of the English Kings, ed. and trans. R. A. B. Mynors, R. M. Thomson and M. Winterbottom, 2 vols (Oxford: Clarendon Press, 1998–1999).
- William of Poitiers, Gesta Guillelmi, in modern editions and translations.
- Domesday Book: A Complete Translation, ed. Ann Williams and G. H. Martin (London: Penguin, 2002), with Alecto Domesday materials.
- New Minster Liber Vitae, British Library, Stowe MS 944; Simon Keynes (ed.), The Liber Vitae of the New Minster and Hyde Abbey, Winchester (Copenhagen, 1996).
- Robert Glover, heraldic and genealogical manuscripts concerning the earls of Oxford.
- Thomas Milles, The Catalogue of Honor (London, 1610).
- William Martyn, The Historie and Lives of the Kings of England (London, 1615).
- David Hume, The History of England, relevant editions preserving the Oxford attribution.
- Book Owners Online (2022) Ralph Brooke ca.1553-1625. Available at: https://bookowners.online/Ralph_Brooke_ca.1553-1625.
- Brooke, R. (1724) A discoverie of certaine errours published in print in the much-commended Britannia, 1594. London: Printed for James Woodman.
- Dictionary of National Biography (2020) Brooke, Ralph.
- Folger Shakespeare Library (2022) Brooke, Ralph, 1553-1625. Shakespeare Documented.
- Portal: Heraldry (n.d.) Selected article: William Camden. Wikipedia. Available at: https://en.wikipedia.org/wiki/Portal:Heraldry/Selected_article/B/11.

Secondary historical and legal scholarship

- Barlow, Frank, Edward the Confessor (London and Berkeley, revised editions).
- Barrow, G. W. S., Kingship and Unity: Scotland 1000–1306 (Edinburgh, 1981).
- Baxter, Stephen, studies of late Anglo-Saxon aristocracy and Domesday prosopography.
- Burke, Bernard & Burke, John (1848, p261). Royal Families of England, Scotland, and Wales.
- Duncan, A. A. M., The Kingship of the Scots, 842–1292 (Edinburgh, 2002).
- Hooper, Nicholas, 'Edgar the Ætheling: Anglo-Saxon Prince, Rebel and Crusader', Anglo-Saxon England 14 (1985).
- Licence, Tom, Edward the Confessor: Last of the Royal Blood (New Haven: Yale University Press, 2020).
- Loud, G. A., The Age of Robert Guiscard: Southern Italy and the Norman Conquest (Harlow, 2000).
- Palmer, Francis Beaufort, Peerage Law in England: A Practical Treatise for Lawyers and Laymen (London: Stevens and Sons, 1907).
- Round, J. H., Peerage and Pedigree: Studies in Peerage Law and Family History, 2 vols (London, 1910).
- Selden, John, Titles of Honor, 3rd ed. (London, 1672).
- Stubbs, William, The Constitutional History of England in Its Origin and Development, vol. I.
- The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, ed. G. E. Cokayne, Vicary Gibbs and others, 13 vols in 14 (1910–1959).
-

Legal authorities

- Blackstone, Sir William, Commentaries on the Laws of England, Book II, chapter 3.
- The Berkeley Peerage Case (1861) 8 HLC 21.
- In re Pringle of Stichill [2016] UKPC 16.
- Gadd, R. P., Peerage Law (1985), relevant treatment of early dignities and fee-simple descent.

Heritage 1066 project and procedural records

- Guest, John L. R., Edgar the Ætheling’s Untold Story: Edgar II as Earl of Oxford, progressive manuscript completed 28 August 2018.
- Original petition and supporting genealogical schedules, Heritage 1066 protected project archive.
- Supplemental Petition — Creation of Earldom of Oxford 1067, 2024, Heritage 1066 protected project archive.
- Licence, Tom, expert opinion letter dated 12 September 2024, preserved in the Heritage 1066 protected project archive.
- Official constitutional and government correspondence, 2025, preserved with protected personal and routing information in the Heritage 1066 project archive.
- Heritage 1066 Encyclopædia IGF biographies and research corpus entries used for biographical and genealogical cross-reference.

ACKNOWLEDGEMENTS

The author acknowledges the historians, editors, archivists, legal writers, genealogists and institutional custodians whose work made this reconstruction possible. Particular acknowledgment is due to the medieval chroniclers and modern editors through whom Edgar's dispersed career can be recovered, to Professor Tom Licence for his independent expert assessment, and to the researchers and family participants who preserved the Heritage 1066 evidence corpus.

The book also acknowledges the Chief Editor's careful preservation of successive manuscript saves, recovered apparatus and supporting research records. That archival stewardship ensured that the underlying evidence remained available for consolidation and review.

This page is intentionally left blank.

AUTHOR NOTE

John L. R. Guest is the Chief Editor of the Heritage 1066 Encyclopædia. His research combines historical biography, documentary recovery and integrated genealogy to examine continuity across the Norman Conquest and its later remembrance.

The original progressive manuscript of this study was completed on 28 August 2018 and has since been revised as additional historical, legal and procedural evidence became available.

This page is intentionally left blank.

PUBLICATION AND PROVENANCE NOTICE

This Revised and Expanded Book forms part of the Heritage 1066 Encyclopædia Foundation Edition. It derives from the author's unpublished progressive manuscript completed on 28 August 2018 and from subsequent research, petitions, expert opinion, official correspondence, source review and editorial revision. The present text preserves the distinction between historical argument and formal constitutional recognition.

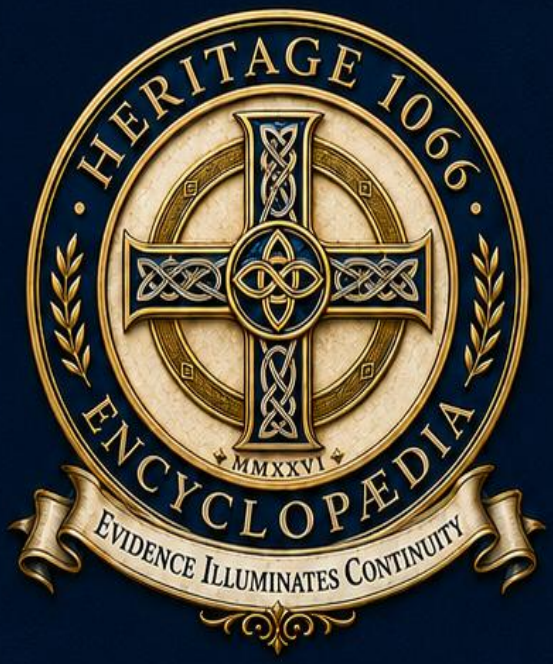
The designation Edgar II is retrospective and interpretative. The book concludes that Edgar was constituted King of the English and that William I more likely than not created or confirmed him as an earl, with Oxford remaining the leading territorial identification. No final determination of creation, legal survival or present title direction had issued at publication. No modern holder is identified.

Private correspondence, contact information, internal routing, confidential advice and protected adviser identities remain excluded from publication and preserved within the protected Heritage 1066 project archive.

Edition Record

Edition stage	Date and status
Progressive manuscript	28 August 2018 — original unpublished research manuscript completed.
Book research updates	September 2025–2026 — historical, genealogical, legal and procedural evidence integrated.
Foundation Edition consolidation	2026 — thirty-five-chapter architecture, recovered apparatus and final interior assembly completed on the maximum-available source basis.

HERITAGE 1066
MMXXVI
ENCYCLOPÆDIA
EVIDENCE ILLUMINATES CONTINUITY



A revised Heritage 1066 study of Edgar the Ætheling, his post-Conquest significance, and the overlooked title of Earl of Oxford under William I. Combining legal-historical reflection, genealogical reconstruction, and renewed attention to Domesday-era evidence, this edition revisits one of the most neglected questions of early Norman England.

Heritage 1066 Research Stream

Evidence Illuminates Continuity

Second Edition – September 2025